

*FRESNO COUNTY, CALIFORNIA*  
**JAIL FACILITIES NEEDS ASSESSMENT**  
*UPDATE - 2013*



March, 2013

DANIEL C. SMITH AND ASSOCIATES, INC.

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# EXECUTIVE SUMMARY

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## JAIL NEEDS ASSESSMENT UPDATE OBJECTIVES AND BACKGROUND

The primary purpose of this Jail Needs Assessment Update is to provide the County with sufficient information to decide whether to pursue applying for State of California SB1022<sup>1</sup> funding to develop new, and/or renovate existing county adult detention facilities, and secondarily to enable the County to make informed decisions relative to long-range adult detention facility planning.

Since the *Fresno County Jail Needs Assessment and Master Plan* was developed in 2008 (hereafter referred to as the “2008 Plan”), the County has undergone a period of volatility that few had foreseen. During this period, the County experienced two major factors which have significantly impacted its adult detention system: 1) a severe economic downturn and declining revenues, that at one point resulted in the Sheriff having to close 1,855 beds, or 53% of the total jail-bed capacity; and, 2) the passage of State Assembly Bill 109, which transferred responsibility of housing certain offenders that previously were in the State prison system to their respective county’s adult corrections system. Several trailer bills accompanied AB 109, that provide operational funding to all counties to aid in paying for this “realignment,” which commenced in earnest in the fall of 2011. Since that time, Fresno County has reopened the majority of the jail-beds that had closed. Approximately two-thirds of the reopened beds are paid for with State (AB109) monies and the remaining third are paid for by the County.

Considering the magnitude of change and volatility since 2008, especially relative to: a) jail funding levels; b) jail operating capacity; c) added AB109 demand for jail beds; d) the changing profile of the Jail’s inmate population; and, e) the potential to obtain SB 1022 funding for new jail facilities, the County decided to have the Needs Assessment portion of the 2008 Plan updated to reflect recent events.

## SALIENT FINDINGS

As a result of evaluating existing jail facilities and recent historical jail inmate population trends, it is evident that (excluding recent substantial declines in revenue) the County has, and continues to face a number of ongoing adult detention system related issues, including: a) insufficient jail-bed capacity (be it funded operational, or physical capacity; b) a disparity between the types of inmate housing units needed versus the profile of the inmates being held; c) the continued aging of the South Annex Jail and the eventual need to replace its 686 jail-beds; d) striving to expand alternative to incarceration programs (ATI) and progressive programming for inmates; and, e) the nearly inevitable increase in jail bookings and jail-bed demand that will occur due to county population growth.

### Limited Jail Capacity

The charts below will demonstrate that insufficient existing jail *operating* and physical capacity, combined with the Federal Consent Decree cap on the Jail’s inmate population has continued to result in: a) early inmate releases for sentenced inmates; b) releases of pre-sentenced inmates that otherwise would have been detained; and c) probably somewhat suppressed booking rates (although no empirical data exist to prove that point, in this Consultant’s experience that this is the case with other counties that have limited capaci-

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<sup>1</sup> SB1022: The most relevant aspects of this bill relative to Fresno County are that:

- a. It authorizes up to \$500 million in revenue bonds, notes, or bond anticipation notes to fund the acquisition, design, construction, and renovation of approved adult local criminal justice facilities, as specified.
- b. Authorizes the shift of \$171 million in AB 900 funding from Phase I of the program to Phase II of the program allowing participating counties to benefit from an enhanced level of state financial participation.

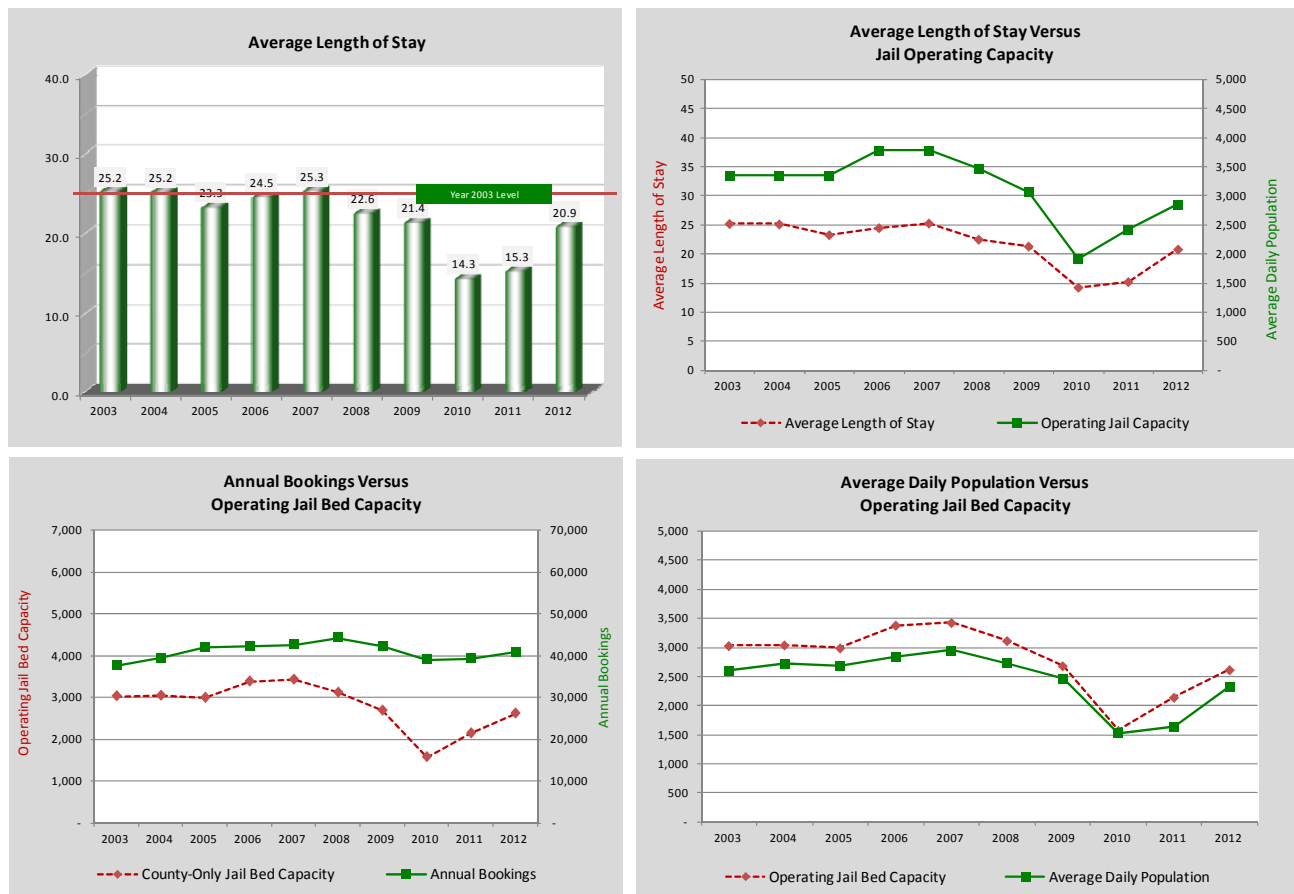


ty). Given that the volume of bookings did not substantially decline during the worst of the economic downturn and that the County considerably reduced the Jail's operating capacity, something in the system had to give, which was the average length of inmate stays.

As demonstrated on the charts below, there is a direct correlation between jail capacity, the average length of stay, bookings (albeit to a lesser degree), and average daily population. It should therefore be evident that since 2008, the Jail's population has been significantly suppressed due primarily to financial constraints, when compared to long-term historical trends prior to 2008 and the recession.

For reference, in year 2012, Order of the Court Releases (related to the Federal Consent Decree, which capped jail population) for the sentenced population resulted in 37,919 jail days not being served than otherwise the system would have incurred, which translates into supplanted need of 104 jail beds. Also recognize that the sentenced population represents only 37.9% of the total. Unfortunately, it was not feasible to determine the amount of jail days not incurred by the pre-sentenced population. *Hence, the County must make a conscious decision relative to the detention levels it is willing to fund versus offenders being released with shorter length of stays in the jail, be they sentenced or pre-sentenced.*

#### Jail Service Demand Historical Trends



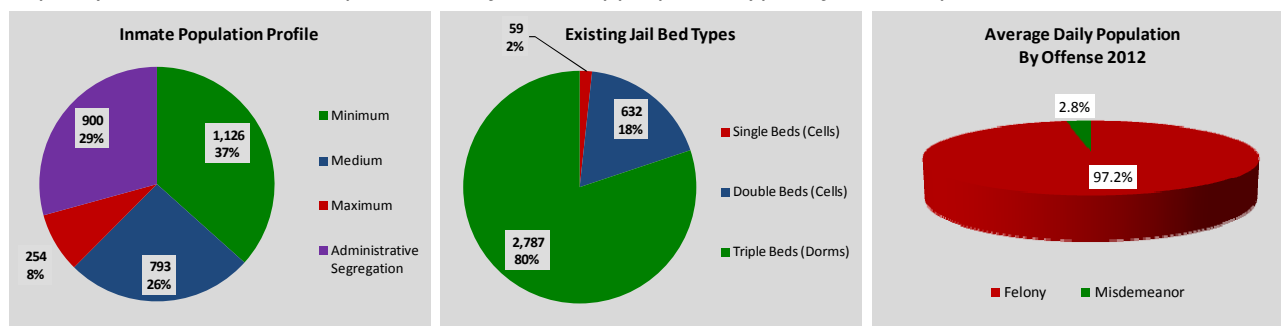
#### Housing Unit Type and Configuration versus Inmate Housing Needs

There is a significant dearth of the right type of beds and housing units versus the current inmate profile, given that 80% of all the entire Jail's bed capacity is configured into triple-bunked, dormitory-style minimum

security housing units and that over 60% percent of the population are classified as combination of maximum-security, medium-security, and administrative segregation inmates.

Further, there are only 59 single-bed cells in the entire jail system. Nearly all of these beds were initially designed as BSCC unrated beds, that were to be used for temporarily housing inmates for disciplinary, isolation, or psychiatric purposes. For reference, the American Correctional Association (ACA) recommends that 30% of all beds should be single cells. *If this were the case, the Jail would have 1,043 single-bed cells as opposed to 59.*

#### *Disparity between Inmate Population Profile and Appropriate Types of Beds Required*



This mismatch of physical jail-bed types versus the inmate profile negatively impacts: the ability of jail supervision staff to adequately segregate and properly house a population which is comprised of over 98% felons who are either largely violent, have significant mental health problems, severe and chronic substance abuse problems, and/or other special needs. This situation negatively impacts staff and inmate security and staff morale. Further, because the fundamental design of the majority of these housing units are dormitories, (which are operating as triple-bunked units and beyond BSCC rated capacity) they were not designed for intensive rehabilitation programming purposes in terms of providing suitable educational and individual small group counseling, let alone more progressive vocational training, and other programs. It is important to recognize that the need for more dedicated programming space will continue to become greater as additional AB109-related inmates (who serve longer terms, and therefore would benefit more from education programs which are inherently longer in duration) are housed in the jail.

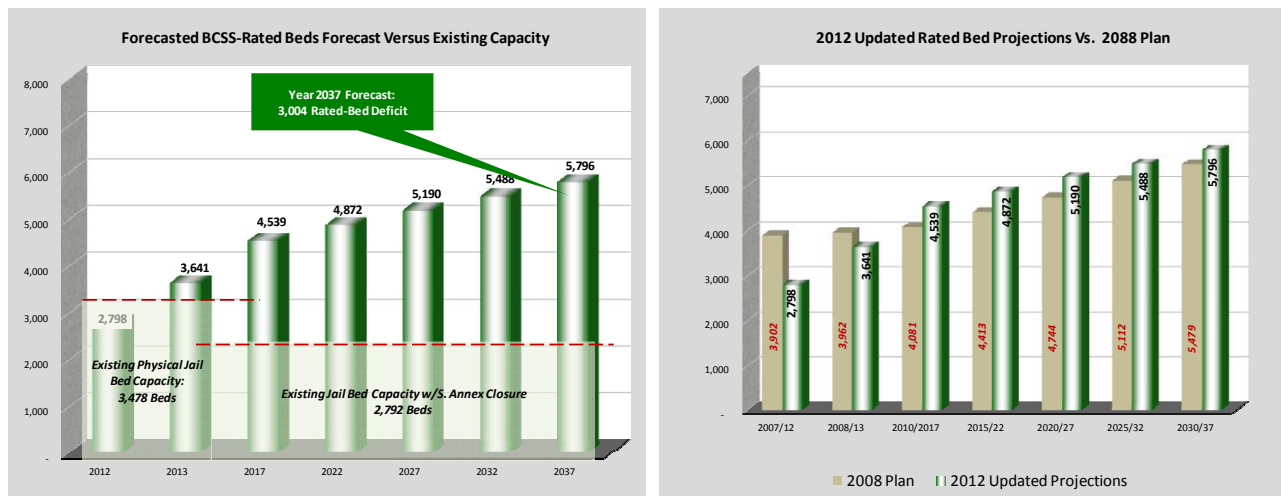
#### **Jail-Bed Forecast**

In general, the following long-range forecast of bed needs was developed by applying long-term historical booking rates per capita and average length of inmate stays (prior to economic downturn) to projected total county population, by accounting for the impact of AB109, and the assumption that State funding for that program will continue indefinitely. As shown on the charts below, the magnitude of need for additional jail beds is substantial. Even assuming that the economy does not rebound and current jail funding levels *per capita* remains flat, consider that the County's population is forecasted to increase by 39% and that long-term historical County population growth has been shown to directly correlate to the volume of jail bookings. Further, as of month-end January 2013, there were 789 AB109-related sentenced inmates housed in the Jail that prior to the implementation of Realignment in late 2011, would have been in the state prison system. Combine the above factors and the assumed eventual loss of all 686 beds in the South Annex, and clearly, future demand for jail beds will be substantial under even the most conservative of scenarios.

Since the completion of the 2008 Plan, the overall long-term 25-year projection of total BSCC-rated beds has increased from 5,479 to 5,796, or by 5.8% primarily for two reasons: 1) five years has now passed so

the new 25-year forecast of county residents has increased to 1,333,466 for year 2037 versus the original plan year 2030 forecast of 1,297,476, or equating to a nearly 3% change; and, 2) the impacts of AB109 realignment, which mandates the County now house designated inmates that were incarcerated within the State Prison System at the time of the 2008 Plan.

#### Updated 2013 BSCC-Rated Jail-Bed Forecast and Comparison to 2008 Plan Projections



Lastly, it is important to recognize that all existing detention facilities continue to age and are wearing at higher rates than would otherwise be occurring because they are operating at well over design capacity (in the case of the North Annex by 50%).

#### ALTERNATIVES TO INCARCERATION PROGRAMS SYNOPSIS

The County operates a number of alternatives to incarceration programs (ATI), as identified in the chart below. In fiscal year ending June 30, 2012, there were 5,770 participants in these programs. Unfortunately the County could not readily produce data demonstrating the actual reduction of jail days produced by these programs. However, the Project Team believes it is substantial. To provide some perspective, if one applied the average length of stay per inmate in year 2012 (which was 20.85 days) to the level of ATI program inmate participants for that year, there would have been a total reduction of 120,304 jail days, which equates to reduction of 330 jail beds. Regardless, the County strives to continue and expand these programs, despite budget constraints.

Unfortunately, the Trustee Work-Release and Work-Furlough programs have been largely suspended due to budget constraints and the closing of the Satellite Jail. This program should be reconstituted as soon as possible. However, the vacated Satellite Jail is no longer suitable for any kind of detention operations, so another facility would have to be developed.

*Alternatives to Incarceration Programs – Participation Levels*

Program Description	FY-2010-11 Participants	FY-2011-12 Participants
<u>Adult Offender Work Program</u>		
Offenders Completing Program	3,087	2,217
<u>Work Furlough Electronic Monitoring</u>		
Offenders Completing Program	78	46
<u>Deferred Entry of Judgment Adult Drug Court Program</u>		
Placed on DEJ 345	345	439
DEJ Bench Warrant Cases 1059	1,059	1,049
Total on DEJ	1,404	1,488
<u>Post Conviction Drug Court (PCDC) Program</u>		
PCDC Felony Probationers	95	104
PCDC Probationers on Warrant Status	63	64
Total under Supervision	158	168
<u>Proposition 36</u>		
Total under Supervision	1,782	1,851
<u>Adult Day Reporting Center (ADRC) Programs</u>		
No Data Available	-	-
<b>Total Annual Offenders Participating and/or Completing Programs</b>	<b>6,509</b>	<b>5,770</b>

**NEAR-TERM JAIL BED DEFICIT AND HOUSING-TYPE MITIGATION ALTERNATIVES**

**Re-Configuration of North Annex Dormitory Housing Units**

Given the significant mismatch between the current inmate profile and the overwhelming number of dormitory-style housing units, the County asked the Project Team to explore the feasibility and cost of renovating the existing North Annex Jail housing units and converting them to individual cell-type housing. Three alternatives were developed: housing units containing all single bed-cells; double-bed cells, and four-person cells. Unfortunately, the results of our analysis clearly demonstrate that it would be difficult to effectively reconfigure these housing units, primarily because of: a) the overall building core and shell layout of each floor; b) the overall dimensions and angles of the perimeter walls of each unit; and, c) the obstruction of sight lines that would result between the housing control rooms and the housing unit cells supervised. These three factors make it impossible to logically and efficiently arrange individual cells without a significant loss in jail-bed capacity, as shown below. Further: 1) construction would be relatively expensive on a cost-per-bed basis (especially Alternatives 1 and 2); 2) there would be the temporary loss of an entire floor of housing, as each floor would undergo partial demolition of its interior and subsequent re-construction; 3) continued interference with day-in, day-out operations, that would be caused by construction crews and movement of materials; and, 4) that any substantial renovation would need to meet modern code and Title 24 requirements.

*North Annex Housing Unit Reconfiguration Alternatives Comparison*

Criteria	Alternative		
	Single-Occupancy Cells	Double-Occupancy Cells	4-Person Occupancy Cells
<b>Bed Capacity - Per Housing Unit</b>			
Existing Bed Capacity	72	72	72
Resulting Plan Bed Capacity	16	32	64
Net Increase/Reduction in Beds	(56)	(40)	(8)
<b>Resulting Capacity - Entire North Annex</b>			
Number of Pods Per Floor	6	6	6
Number of Beds Per Floor	96	192	384
Number of Floors	4	4	4
Total Planned Facility Capacity	384	768	1,536
Existing Bed Capacity	1,728	1,728	1,728
Net Increase/Reduction in Beds	(1,344)	(960)	(192)
<b>Construction Cost Estimates<sup>1</sup></b>			
Demolition	\$ 50,350	\$ 50,350	\$ 50,350
New Construction	\$ 497,110	\$ 519,110	\$ 705,460
Contingency @ 25%	\$ 136,865	\$ 142,365	\$ 188,953
Total Per Pod	\$ 684,325	\$ 711,825	\$ 944,763
Total Per Floor	\$ 4,105,950	\$ 4,270,950	\$ 5,668,575
<b>Total Cost</b>	<b>\$ 16,423,800</b>	<b>\$ 17,083,800</b>	<b>\$ 22,674,300</b>
<b>Total Per Bed</b>	<b>\$ 42,770</b>	<b>\$ 22,245</b>	<b>\$ 14,762</b>

<sup>1</sup> Includes all hard and soft cost, except County Project Management Cost.

**Re-Use of Satellite Jail Site**

Although it was not within the scope of this Needs Assessment Update to provide a detailed analysis of the Satellite Jail site, the County owns this parcel and desires to explore alternative use for detention purposes. As mentioned, the existing Satellite Jail is no longer fit for use and should be demolished. Although this site could be reutilized, its limited size and overly rectangular configuration constrains the type and size of facility that could work on the site. Regardless, this could prove to be a near-term solution to mitigate anticipated bed needs, and provide badly needed housing units, physically capable of adequately housing maximum-security, medium-security, administrative segregation, and other harder to manage inmates.

**2013 UPDATE LONG-TERM SPATIAL IMPACT TO 2008 MASTER PLAN**

**2008 Plan Synopsis**

The 2008 Plan forecasted a net bed deficit/need for 2,704 BSCC-rated, 188 non-rated beds, or 2,892 beds. In terms of support areas the plan called for the development of: 1) a new inmate processing center (intake, release, and inmate property storage; 2) a new Medical and Psychiatric Services component (including administrative offices, out-patient clinic, infirmary, and a mental health intensive supervision unit; an additional management and administrative area, for the new jail facilities; a new staff support area (lockers, briefing, training) and a new video-visitation component). The vacated medical services component currently located on the second floor of the Main Jail would be renovated for dedicated inmate programs ad-

ministration and an expanded existing jail facilities administrative area. A portion of the vacated South Annex would be used for a renovated and expanded laundry and expanded warehouse area. If fully implemented, the plan would result in adding 639,448 building gross square feet (BGSF) in three phases between 2008-2030, which equates to 121% increase in BGSF over the existing jail system building inventory.

### **2013 Update Net New/Replacement Bed Needs and Spatial Impacts to 2008 Master Plan**

The chart below provides a comparison of long-range jail-bed and macro-level spatial needs between the 2013 Update and 2008 Plans. The Project Team projected the space needs that would be generated by these additional beds on a macro-level basis, as it was not within the scope of this Needs Assessment Update to re-program all of the facility components contained in the master plan portion of the 2008 Plan. As shown, 482 additional beds would be required over the 2008 Plan, as substantiated in Section 3 of this document, and an additional 132,713 GSF of building space would have to be developed over the 2008 Plan.

*Macro-Level Building Long-Range Needs Comparison; 2008 Plan (through year 2030) vs. 2013 Update (through Year 2037)*

	2008 Plan	2013 Update	Net Change	% Change
<b>New Bed Requirements</b>				
BSCC Rated Beds	2,704	3,004	300	11%
Non-Rated Beds	188	370	182	97%
Total Beds	2,892	3,374	482	17%
<b>Building Space Requirements</b>				
<u>Housing Component</u>				
GSF Per Bed	193	200	8	4%
Housing Component GSF	556,831	675,606	118,775	21%
<u>Jail Support Components</u>				
GSF Per Bed	58	54	(4)	-7%
Support Components GSF	167,275	181,212	13,937	8%
<u>Combined Jail Components</u>				
GSF Per Bed	250	254	4	1%
<b>Combined Components GSF</b>	<b>724,106</b>	<b>856,819</b>	<b>132,713</b>	<b>18%</b>

## NEXT STEPS

### Immediate Issue Requiring Resolution

Given the potential to obtain up to \$80,000,000 in SB1022 funding, the County needs to make a fundamental decision regarding whether to pursue those funds, and if so, to what degree. This decision will need to be made at an early date, and to do so, the County will need to:

- Define the specific project that would qualify for funding.
- Determine the capital and operational cost of developing those facilities.
- Decide whether to provide the go-ahead to actually submit a formal application for those funds.

### Issues with Potential Near-term Resolution Timeframes

1. Pre-Sentenced Inmate credit for Educational and Counseling Programs Participation: Currently, the Courts do not allow pre-sentenced inmates to receive credit for participating in those programs. If this could be accomplished, the overall length of time served in jail per participating inmate would be reduced, and in turn the number of jail days incurred and number of required jail-beds. These inmates would also be better prepared to re-enter society.
2. Conduct further analysis on the re-use of the existing, but currently vacated Satellite jail site.

### Issues with Longer Resolution Timeframes

1. The County should continue with its efforts to develop and expand its comprehensive Alternatives to Incarceration Program Plan, including:
  - a. Determining the types of programs to establish.
  - b. Determine reasonable offender potential participation rate goals, based on more detailed analysis of the inmate profile and needs.
  - c. Forecast impacts on full-time inmate housing needs versus alternative housing methods, based on program participation rates.
  - d. Develop operational cost estimates of operating the plans.
2. Ultimately, the County should strive to develop a budget forecasting metric for adult detention programs and alternatives to incarceration programs, and then agree on the level to which they should be funded. Once this is accomplished the County could then develop specific near, mid, and long-term integrated plans for: a) ATI programs; b) enhanced inmate programs for the full-time jail population; c) capital facilities development; and, d) the day-in, day-out operational costs associated with these programs. The County has undergone a dynamic period of substantial jail-bed closures, due to financial constraints, especially those that arose out of the 2008 recession. Many inmates were released from the jail during that timeframe. The County and local community needs to assess to what degree these releases have negatively impacted the community to date, and how much they are willing to invest in order to lower recidivism rates and overall crime in the future.

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## **SECTION 1**

# **PROJECT INTRODUCTION AND BACKGROUND**

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## PURPOSE OF THIS FACILITIES NEEDS ASSESSMENT UPDATE

The primary purpose of this *Facilities Needs Assessment – 2013 Update* is to provide the County with sufficient information, that will enable it to make informed decisions relative to future adult detention facility planning: especially regarding whether to pursue applying for State of California SB1022<sup>1</sup> funding to develop new, and/or renovate existing county adult detention facilities.

More specifically, the objectives of this document are:

1. To update the Fresno County Jail Facilities Needs Assessment that was completed in September of 2008, hereafter called the “2008 Plan”, considering:
  - a. The significant impacts on the County Jail system due to the economic downturn and legislative changes that have occurred over the nearly five years since the development of 2008 Plan commenced, especially the impact of AB 109<sup>2</sup>.
  - b. The need to meet the most recent California Board of State and Community Corrections (BSCC) Needs Assessment criteria, that will be required if the County decides to pursue SB1022 funding for new adult correctional facilities.
2. Define near-term new facilities development concepts that would meet SB 1022 funding criteria, and relate these near-term concepts to the long-term (25-year) conceptual needs, given the vast array of changes that have occurred since 2008 within the County’s detention system.

As such, this document is not intended to provide detailed revisions to the comprehensive long-term master plan building programs provided in the 2008 Plan.

## PROJECT BACKGROUND, CONSTRAINTS, AND CHANGES SINCE 2008

The intent of the 2008 Plan was to develop: a) a statement of facilities and operational needs; b) devise a logical facilities plan to solve those needs; and, c) to estimate the capital and operational costs of implementing the plan. At the County’s direction, the scope of that study specifically excluded: a) analysis and recommendations relative to the County’s law and justice *system* as a whole; b) provide forecasts of future socio-economic conditions and law enforcement arrest practices; c) possible changes in criminal law (e.g. legalization of marijuana, other drugs, prostitution, etc.); or, d) provide a funding plan for the development of those facilities. These exclusions and project scope constraints also apply to this Needs Assessment update, 2013.

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<sup>1</sup> SB1022: The most relevant aspects of this bill relative to Fresno County are that:

- a. It authorizes up to \$500 million in revenue bonds, notes, or bond anticipation notes to fund the acquisition, design, construction, and renovation of approved adult local criminal justice facilities, as specified.
- b. Authorizes the shift of \$171 million in AB 900 funding from Phase I of the program to Phase II of the program allowing participating counties to benefit from an enhanced level of state financial participation.

<sup>2</sup> AB 109: is part of historic legislation that will enable California to close the revolving door of low-level inmates cycling in and out of state prisons. It is the cornerstone of California’s solution for reducing the number of inmates in the State’s 33 prisons to 137.5 percent design capacity by May 24, 2013, as ordered by the U.S. Supreme Court. AB 109 provides a dedicated and permanent revenue stream to the counties through Vehicle License Fees and a portion of the State sales tax. Trailer bill AB 111 gives counties additional flexibility to access funding to increase local jail capacity for the purpose of implementing Realignment.

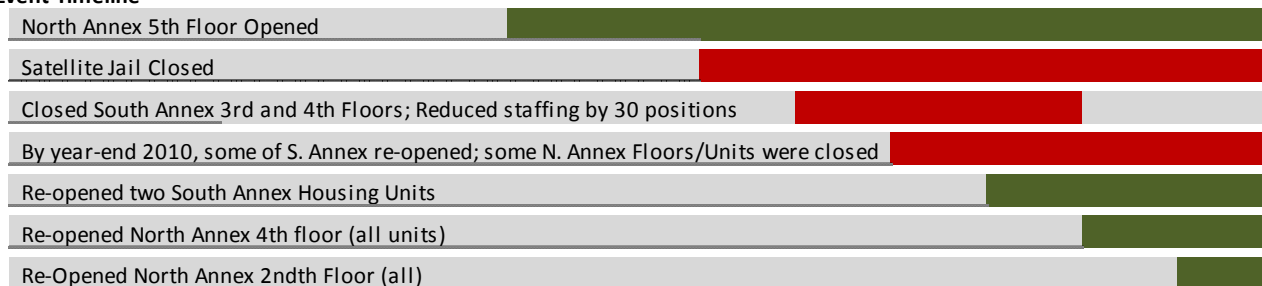
Since the development of the 2008 Plan, the nation, State of California, and in particular, Fresno County has had to deal with the impact of the most significant economic downturn since the Great Depression. Further, Fresno County has had to deal with some of the impacts resulting from significant changes in the State's prison system detention practices, most notably those resulting from AB109. For example, at year-end 2012 there were 789 AB109-related sentenced inmates housed in the County Jail that would have otherwise been housed in State Prison if AB109 had not been adopted.

As a result of the economic downturn and reduced County budgets, the Sheriff was forced to close 1,855 beds during the depth of the recession, prior to AB109 funding becoming available. The chart below provides a history of the County Jail's operating capacity over the last decade. As can be seen, the direct correlation between the jail's operating capacity, the period of economic downturn, and recent State funding could not be more evident.

#### Jail Operating Capacity History and Major Actions Taken: 2003-2013

Calendar Year Ending:	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>JAIL BEDS BY FACILITY</b>											
South Annex	686	686	686	686	686	686	276	427	499	499	499
North Annex	1,296	1,296	1,296	1,728	1,728	1,728	1,728	432	864	1,296	1,728
Main Jail	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064	1,064
Satellite	300	300	300	300	300	-	-	-	-	-	-
<b>TOTAL BEDS</b>	<b>3,346</b>	<b>3,346</b>	<b>3,346</b>	<b>3,778</b>	<b>3,778</b>	<b>3,478</b>	<b>3,068</b>	<b>1,923</b>	<b>2,427</b>	<b>2,859</b>	<b>3,291</b>
Net Change from Peak Capacity in 2007						(300)	(710)	(1,855)	(1,351)	(919)	(487)
<b>JAIL BEDS BY USER</b>											
Federal Beds (ADP)	316	303	354	396	351	362	383	349	284	242	165
<b>COUNTY BEDS</b>	<b>3,030</b>	<b>3,043</b>	<b>2,992</b>	<b>3,382</b>	<b>3,427</b>	<b>3,116</b>	<b>2,685</b>	<b>1,574</b>	<b>2,143</b>	<b>2,617</b>	<b>3,126</b>
Net Change from Peak Capacity in 2007						(311)	(742)	(1,853)	(1,284)	(810)	(301)

#### Event Timeline<sup>1</sup>



<sup>1</sup> Red bars indicate timeline when closures were in effect; green bars indicated when closed beds came back on line or new beds opened.

In light of continued funding volatility and the magnitude of continued demand for jail facilities, Fresno County desires to update the 2008 Plan now, because: a) two of its four jail facilities continue to age and become increasingly dysfunctional, to the point that they are becoming no longer cost-effective to operate; b) of anticipated substantial increases in forecasted jail beds due to county population growth; c) the improving economic climate; d) the State's adoption of AB 109; and most importantly, e) the potential to obtain significant State funding for the development of new capital facilities authorized by SB1022.

## CORRELATION OF THIS NEEDS ASSESSMENT TO TITLE 24 NEEDS ASSESSMENT CRITERIA

In addition to serving Fresno County’s project goals, this update to the 2008 Jail Facilities Needs Assessment and Master Plan is intended to meet all the Board of State and Community Corrections (BSCC) Needs Assessment criteria as outlined in the California Code of Regulations (CCR), Minimum Standards For Local Detention Facilities, Title 24; Part 1, Section 13-102; (c) Initial Planning for a Local Detention Facility; 2. Needs Assessment Study.

Section 13-102. (c) 2. Needs Assessment Study states that: *“Any city, county, city and county, or region intending to construct a new Type I, II, III or IV facility or add 25 or more beds to an existing facility shall complete a needs assessment study. One copy of the needs assessment study shall be submitted to the Board of State and Community Corrections prior to contracting for plans and specifications.”* To meet State criteria Title 24 stipulates that the *“needs assessment shall include, but not be limited to a description of”* a multitude of items as listed below. For the convenience of the BSCC and reader we have correlated these topics to this document’s organization Table of Contents.

*Special note to County reviewers: Because of the need to comply with Title 24, some of the information provided in this document may seem superfluous, state the obvious, or may be common knowledge among County staff, yet it must be included in this document to comply with Title 24 requirements.*

<u>BSCC NEEDS ASSESSMENT CRITERIA</u>	<u>2013 FRESNO PLAN UPDATE</u>
A. The elements of the system	Section 2
B. The department’s operational and design philosophy	Section 2,5
C. The current inmate population	Sections 2,3
D. The classification system	Section 3
E. Program needs, including planned academic programs including special education programs and an analysis of performance in using programs that can reduce secure facility requirements	Section 4
F. An analysis of the local trends and characteristics which influence planning assumptions about future corrections' systems change, including population projections, current and projected inmate populations, and program costs based on continuation of current policies and projections of alternative policies or programs on inmate population growth and program costs	Section 3
G. The adequacy of staffing levels	Section 2
H. The ability to provide visual supervision	Section 2
I. The adequacy of record keeping	Section 6
J. A history of the systems compliance with standards	Section 6
K. Any unresolved issues	Section 7

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## **SECTION 2**

# **EXISTING CONDITIONS AND ELEMENTS OF THE SYSTEM**

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## SECTION OVERVIEW

Section 2 provides an overview of: 1) the existing Fresno County Adult Detention System in terms of physical plant locations, size, condition, and suitability for future use; 2) a general description of the current inmate profile; 3) staffing contingent; and, 4) operational cost.

This section also addresses the requirements of Title 24 2008 Regulations; 13-102 Needs (c) Needs Assessment Study; specifically Items:

- A. Elements of the system
- B. Operational and design philosophy
- C. Adequacy of staffing levels
- H. Ability to provide visual supervision of inmates.

## PHYSICAL PLANT INVENTORY AND ASSESSMENT

*(Addresses in part, Item A, Elements of the System) per T-24 Section 13-102 (c) Needs Assessment criteria)*

### Locations

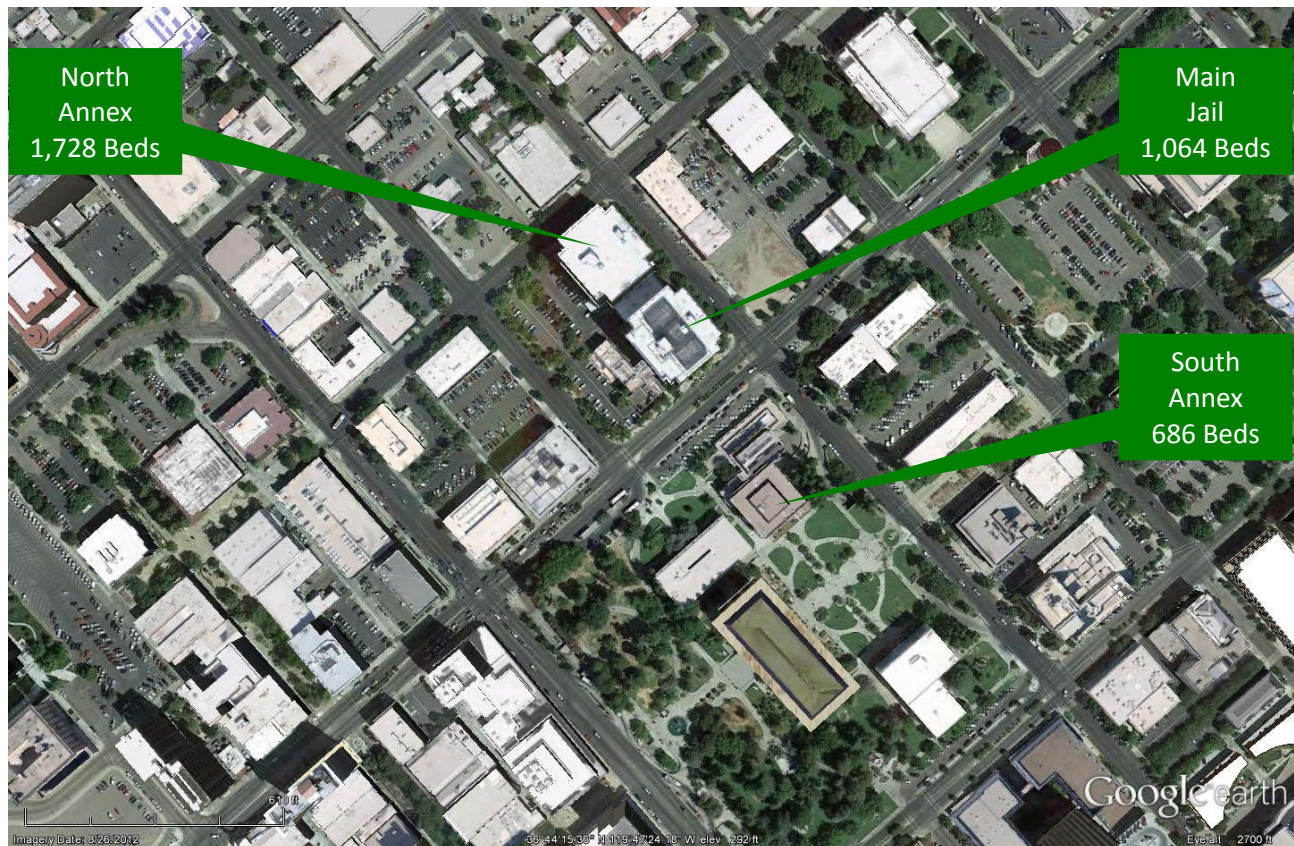
The existing jail facilities are comprised of five primary buildings, commonly known as: The Main Jail, North Annex, South Annex, Satellite Jail (now closed), and the Kitchen. The Main Jail, North Annex, and South Annex are located proximate (within convenient walking distance) to the County Courthouse, which for the purposes of this document are termed the Downtown Jail Campus. A central plant supplies utilities to these campus facilities. The Satellite Jail is located approximately one mile southeast of the Main Jail, while the Kitchen is located about one mile to the northwest. Reference Exhibits 1.1 and 1.2.

*Exhibit 1.1: Jail Facilities Locational Overview*





Exhibit 1.2: Jail Facilities – Downtown Campus Only



### Bed Capacity

As of year-end 2012 and exclusive of the closed Satellite Jail, the combined four facilities have a total of 3,419 BSCC-rated beds. There are also 94 non-rated beds, comprised of 37 infirmary beds and 57 beds in single-occupancy cells designed to be used for disciplinary/isolation/psychiatric observation purposes.<sup>1</sup> However, due to the extreme bed shortages that the County has experienced, these 57 non-rated single-beds have also been used to house more difficult to manage maximum-security inmates of the general jail population.

Combined, the four facilities envelop 519,790 gross square feet of space, which equates to 152 gross square feet per BSCC-rated bed. By industry norms, these figures indicated extremely overcrowded conditions and undersized jail facilities. This is largely due to: a) the extensive triple-bunking in the North Annex, for which the County has been granted a waiver by the BSCC; b) the lack of much needed single and double occupancy cells and sufficient dedicated inmate programming space; and, c) several very undersized support components, most notably, Intake/Booking/Release and the Infirmary.

<sup>1</sup> Non-rated beds include Intake, Medical/Infirmary, Acute Psychiatric, and Disciplinary/Isolation Beds.

Exhibit 1.3: Jail Physical Plant Summary

Facility Identification		Building Characteristics			Physical Bed	Primary
Facility	Address	Sq. Ft.	Const. Yr.	Age	Capacity	Use
Main Jail	1225 "M" Street	220,167	1989	24	1,064	Inmate Housing, Administration, Infirmary; Intake/Booking/Release
North Annex <sup>1</sup>	1265 "M" Street	195,661	1993	20/10	1,728	Inmate Housing, Arraignment Courts
South Annex	2280 Fresno St.	91,962	1941	72	686	Specialized Inmate Housing, Medical, Laundry
Kitchen	200 N. "H" Street	12,000	2003	10	N/A	Food Preparation
<b>Totals</b>		<b>519,790</b>			<b>3,478</b>	
Satellite Jail	110 "M" Street	10,800	1986	27	300	CLOSED

<sup>1</sup> The Phase 1 was completed in 1993, and Phase 2, which involved the vertical expansion of the jail by two floors was completed in 2003.

### Facilities Assessment

The Project Team conducted a physical and functional assessment of the subject facilities, as part of the 2008 Plan. The detailed findings of this assessment are provided in the separately bound *Site and Building Review, Fresno County Jail Assessment*, dated April 20, 2007, which was prepared by DSA's subcontractor Kitchell. Note that the County decided not to update these findings as part this study. Regardless, below is a synopsis of the findings of that report, the salient findings of which still remain valid.

**Main Jail Synopsis:** The Main Jail is a six-story structure which was constructed in 1989. In 2002, the County carried out a minor expansion of the facility to increase the capacity of the clothing area. Even though this building is nearly 24 years old, and a number of inmate support areas have, and currently *operate significantly above the originally intended design capacity*, the facility remains in relatively good condition. Consequently the Project Team recommends that the County retain this facility for detention purposes over the 25-year planning horizon of this study and beyond.



However, the following issues need to be addressed:

- The Intake/Booking/Release component is operating well over its original design capacity and is extremely overcrowded. This condition leads to delays in booking of inmates and frustration with local law enforcement as a result of longer booking wait times. Though no statistics exist, this situation may make law enforcement officers more likely to cite and release offenders on the street, as opposed to booking them in the jail.
- The vehicle sallyport size is inadequate for traffic at peak times. This causes vehicles to have to be staged on public streets and blocks other functions at the jail.
- The infirmary is at capacity.
- The administrative area is extremely overcrowded.



North Jail Synopsis: The North Jail is a five-story structure constructed in 1993. Two additional housing floors were vertically added in 2002. Four of the floors are used almost exclusively for housing and all housing units were originally designed as dormitories to hold 64 beds each, on a double bunk basis. However, due to overcrowded conditions, the County obtained a waiver from the Board of State and Community Corrections to triple bunk the entire facility, despite it being in conflict with Title 24 regulations.

Consequently, this facility has and continued to operate at 50% (576 beds) over its originally designed capacity of 1,152 beds. Despite the increased use and resulting wear, the facility remains in good condition, and the Project Team recommends that the County retain this facility for detention purposes through year 2037 and beyond, but ideally at its originally designed capacity.



South Annex: This four-story facility was built in the 1940's. Although the facility is structurally sound, the building is no longer functional for housing inmates in its current configuration because of its antiquated non-podular housing design. This results in inefficient staff to inmate ratios and more difficult supervision of inmates. Further, inmates have to be escorted to the roof recreation yards for exercise.



However, the third and fourth floors of the facility could potentially be renovated and reconfigured to serve as work release facility, because the walls on these levels are mostly constructed of metal panels, which are relatively easy to remove. However remodeling of these floors would require extensive renovation of the plumbing and HVAC systems. Any proposed rearrangement of levels one and two would be even more costly because the existing walls are constructed of concrete and masonry.

The Project Team recommends that the County retain this facility and explore using it in part as a work-release/transitional facility and and/or for other jail support functions, which are currently overcrowded, or other county uses.



Satellite Jail Synopsis: The Satellite Jail was constructed as a temporary facility in 1986. The facility is comprised of five, triple-wide portable trailers. Four trailers are used for inmate housing, and the fifth houses administrative functions. All trailers have exceeded their life span.

Due to its distance from the Jail Campus, the Project Team recommended in the 2008 Plan, that the County explore alternative uses for the site. Shortly thereafter, the County closed this facility due to operational cost constraints and given its poor condition and lack of functionality will not be reopened. The site however, could be redeveloped for detention, or other County uses.



Central Kitchen: The Central Kitchen was constructed in 2003. The facility is a pre-engineered metal building and is in good condition. The facility has sufficient capacity to increase meal production by adding staff and equipment. Space remains available to accommodate this as well as the increase in storage areas that would be required. The Project Team recommends that the County continue to utilize this facility through the planning time-horizon of this facilities needs assessment.



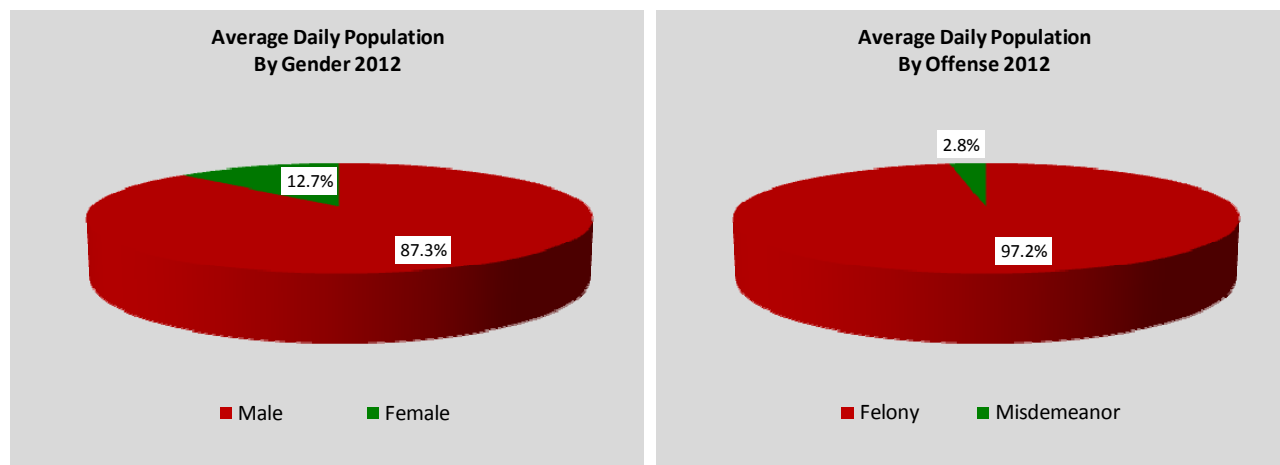
### EXISTING SERVICE DEMAND AND JAIL POPULATION PROFILE

*(Addresses Item C, The Current Inmate Population, per T-24 Section 13-102 (c) Needs Assessment criteria)*

In year 2012, 40,750 persons were booked into the Jail at a rate of 42.44 persons per 1,000 county residents. The jail's daily population averaged 2,328 inmates, 2.73 persons per 1,000 county residents. The resulting average length of inmate stay was 20.85 days. These statistics are not indicative of long-term historical trends however, because at year-end 2012, there were still 619 beds that were closed due to budget constraints. All of the above exclude federal contract prisoners, who on average occupied 201 beds in 2012.

In terms of court status, 68% of all inmates were pre-sentenced and 32% were sentenced full-time in the jail. Typically, 87% of the population were males and 13% females. At year-end 2012, essentially the entire inmate population (98%) were felons, with only 2% being incarcerated on misdemeanor charges.

Exhibit 1.4: Jail Population Profile



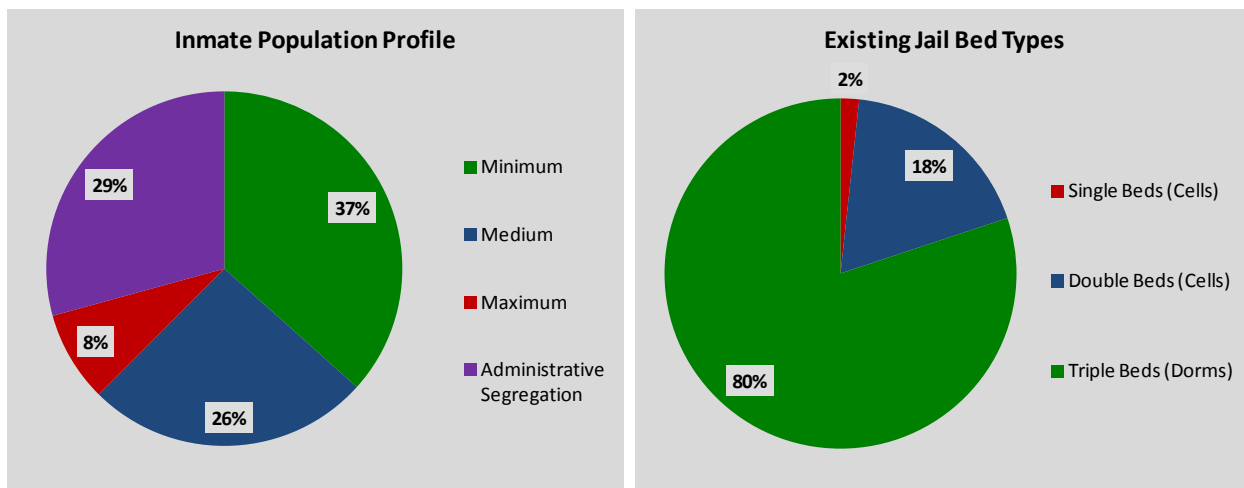
### Inmate Housing Needs Versus Jail Capacity

The South Annex, Main Jail and North Annex (lower two housing floors) were designed originally to be single or double bunked. All housing units in the North Annex were designed as dormitories having a BSCC-rated capacity of 48 persons per unit. However, in 1994, the Federal Court decision, pursuant to the Cruz vs. County of Fresno lawsuit and its subsequent settlement agreement and Federal Consent Decree, permitted the County to triple-bunk housing units throughout the jail system (thereby overriding Title 24 standards) to expand fixed-bed capacity. When the North Jail tower was completed in 2002 those upper floors were also triple-bunked. Despite triple-bunking, demand for beds has, and continues to exceed capacity.

However, to prevent overcrowding, the above referenced Federal Consent Decree was issued which mandates inmate releases from the Jail whenever it reaches 100% of its operating capacity and provides the County with the discretion to either release inmates or not accept new bookings into the jail whenever it attains 90% of staffed capacity (termed operational capacity for the purposes of this document). This situation became more acute between 2008 and the present due to budget constraints, where at one point, the County was forced to close 1,855 beds. Most of these beds have now come back on line primarily due to the AB109 funding. However, there are still 487 beds that are closed (300 in the vacated Satellite Jail and 187 in the South Annex), as of January 2013.

Further, in addition to continued overcrowding and limited total bed capacity, there is a significant mismatch between the security classification profile of the inmate population and the means by which they are housed. The inmate population is largely violent, suffer from mental disorders (many of which are substance abuse related); require special needs, and/or need to be administratively separated for a host of reasons, especially due to gang affiliation. Yet, the entire jail system currently has only 57 cells that are currently being utilized as single-bed cells.

*Exhibit 1.5: Jail Population Security Classification Profile vs. Bed Capacity*



## OPERATIONS

### Philosophy

*(Addresses in part, Item B, The Department's Operational and Design Philosophy) per T-24 Section 13-102 (c), Needs Assessment criteria)*

### Mission

The Jail Division operates under the overarching mission, vision, and values of the Sheriff's department:

**Mission:** The members of the Fresno County Sheriff's Office, in partnership with the community, are dedicated to excellence in the delivery of public safety services.

**Vision:** The Fresno County Sheriff's Office is committed to an ongoing partnership with the community based on communication, cooperation, and trust. This partnership will promote an environment that ensures safety and peace, while treating all persons with respect and dignity.

### **Values:**

**Professionalism:** While leading by example, we are committed to excellence, honor, and valor in the performance of our duties.

**Accountability:** Through communication and cooperation we strive to build community confidence with sensitivity to the diversity of all people, holding all employees to the highest standards of professional conduct.

**Integrity:** Dedication to the ethical standards of honesty, humility, fairness, and respect.

**Trust:** Through teamwork to instill mutual respect between ourselves, and to promote confidence within the community.

Commitment: To these principles, to the public, and to the Law Enforcement Code of Ethics.

#### Detention Housing Operational Philosophy

The Jail Division manages and operates the inmate-housing program, and as a philosophy strives to carry out the daily practice of providing for a secure, safe, and sanitary environment for the inmate population and staff. These goals involve working towards providing sufficient staff and other resources (to the degree feasible with a given budget) to ensure: a) continuous staff supervision; b) maintenance of a comprehensive inmate classification system; c) delivery of necessary and appropriate inmate programming (based on inmate gender, security classification, and special needs; d) opportunities for inmates to maintain personal hygiene; and, e) operation of a facility maintenance program to ensure that the physical plant meets accepted and legally required health standards.

#### Detention Philosophy and Programming:

Due to budget constraints the current operational philosophy of jail management is geared more to incarceration in the traditional sense as opposed to progressive treatment and rehabilitation. This situation is largely due to the amount budgeted for inmate detention versus alternative to incarceration programs, the lack of facilities and staffing resources needed to deliver alternative programming, and as a result, the jail staff culture that has evolved in this environment. For example, the County used to have a work release program, but that operation ceased in 2008 due to lack of funds and a deteriorating facility that was not cost-effective to maintain. As will be addressed elsewhere in this document, the County seeks to implement more programs, especially as they relate to those AB109 offenders that will be in the jail longer yet will serve half of their sentence in the community. In general, the supervision of the housing units is a hybrid of direct and indirect supervision, as explained later in this Section.

#### **Operational Overview**

The County has strived to keep all Jail operations downtown, located proximate to the Courts, in order to minimize inmate transportation cost and achieve operational efficiencies (with the exception of the now closed Satellite Jail). All three major jail campus facilities (Main Jail, North Annex, and South Annex) are serviced by a Central Plant. Nearly all jail support functions are located in the Main Jail, with the exception of the Central Laundry, which is located in the South Annex, and the Central Kitchen which is located offsite.

All essential services within the jail are provided by County staff with the exception of:

- Food Service and the Commissary (which are provided on a contract basis); all meals are prepared and trayed in the Central Kitchen and are transported from the Central Kitchen to the jail housing units in hot carts. All tray and warewashing occur in the Central Kitchen.
- Acute Psychiatric Services which are provided by the Department of Public Health. Note that there are no acute psychiatric units within the existing jail and these patients are held offsite.
- Counseling Programs which are delivered by volunteers as well as county staff.

Otherwise, Fresno County Jail provides services typical of Type II county jails<sup>2</sup> in California, with the exception that the County has a contract to house 165 Federal inmates.

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<sup>2</sup> Per Title 24 – Minimum Standards for Detention Facilities: a Type II Jail “means a local detention facility used for the detention of persons pending arraignment, during trial and upon a sentence of commitment.

## Elements of the System

The major elements of the jail system are:

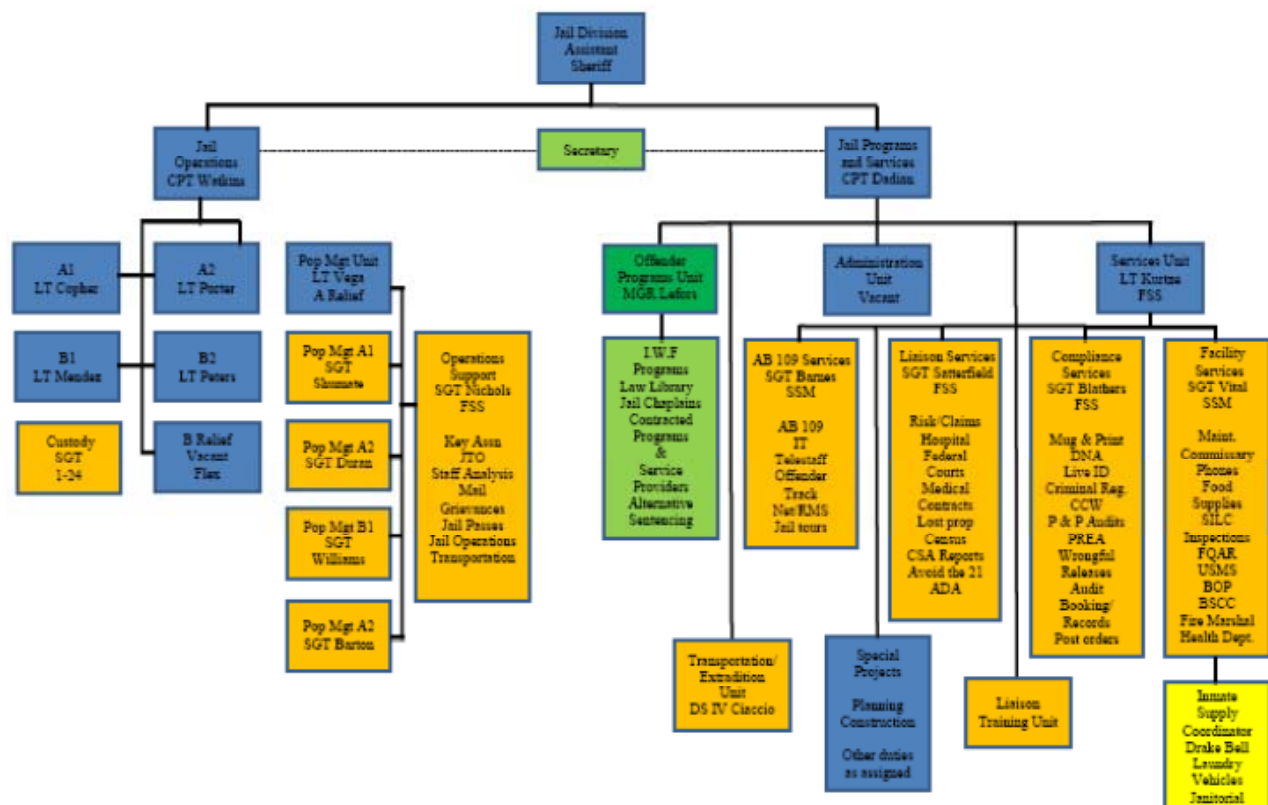
- Jail Administration
- Staff Training, Daily Briefing, and Support Areas
- Central Control
- Inmate Housing
- Inmate Processing (intake, booking, transfer, release)
- Medical/Mental Health Services
- Food and Laundry Services
- Inmate Programs (academic instruction, counseling, and religious services)
- Public and Official Visitation
- Video Arraignment
- Building Maintenance and Supply Storage

### Sheriff's Jail Division Organization

*(Addresses in part, Item A, Elements of the System; per Title-24 Section 13-102 (c), Needs Assessment criteria*

Exhibit 1.6 provides an overview of the Sheriff's Jail Division. As shown the function is generally divided into Operations and a function which is responsible for all program management and administrative functions, titled Jail Programs and Services.

Exhibit 1.6: Sheriff's Jail Division Organization



### Adequacy of Staffing Levels

*(Addresses Item G, Adequacy of Staffing Levels, per T-24 Section 13-102 (c), Needs Assessment criteria)*

As of February 2013, jail staff totaled 416 authorized positions, exclusive of contracted food services workers, county building maintenance staff, and County Public Health (Medical and Psychiatric Services). This authorized staffing level equates to a ratio of 7.91 beds per staff, which for a Type II jail is very high. This high ratio of beds per staff is mainly attributable to the triple bunking (allowed under a waiver by the BSCC) of nearly the entire North Annex. Note that these figures exclude any estimated full-time staff equivalents related to overtime hours charged by detention staff.

*Exhibit 1.7: Jail Staffing Levels - February, 2013*

AUTHORIZED POSITIONS	
Assignments	2/22/13
<b>Management</b>	
Jail Captains	2
Jail Lieutenants	7
Jail Sergeants	31
<b>Subtotal</b>	<b>40</b>
<b>Correctional Officers:</b>	
All Facilities	376
<b>Total Authorized Positions</b>	<b>416</b>
<b>Analysis:</b>	
Operational Bed Capacity	3,291
Beds Per Staff	7.91

### Ability to Provide Visual Supervision

*(Addresses Item H, Ability to Provide Adequate Visual Supervision, per T-24 Section 13-102 (c), Needs Assessment criteria)*

There are three major buildings in the jail system: the Main Jail, the North Annex, and the South Annex. The Main Jail and North Annex are of modern podular design with each floor having a secure housing control area where correctional officers have direct lines of sight into each housing pod. Although there are some small areas that are not directly visible from the housing control areas, they are minor. However, the South Annex, having been constructed in 1941, is of a more antiquated non-podular design, which results in higher staff to bed ratios to adequately visually supervise inmates.

## OPERATIONAL COST

*(Addresses in part Item A, Elements of the System, per T-24 Section 13-102 (c), Needs Assessment criteria)*

Exhibit 1.8 provides a summary of all actual expenditures associated with operating the Jail System in fiscal year 2011-12. As shown, total jail expenditures were \$71,290,538, which equated to an average annual cost per inmate of \$33,564.

*Exhibit 1.8: Jail Operational Cost*

Budget Department and Item Summary		Fiscal Year Ending June 2012
<b>Dept 31114000 - Detention</b>		
Salaries And Employee Benefits	\$	51,920,160
Services And Supplies	\$	10,545,001
Other Charges	\$	70
General Fixed Assets	\$	27,831
Subtotal	\$	62,493,062
<b>Dept. 56201687 - Jail Psychiatric Services</b>		
Salaries And Employee Benefits	\$	2,121,452
Services And Supplies	\$	123,626
Other Charges	\$	-
General Fixed Assets	\$	-
Subtotal	\$	2,245,077
<b>Dept. 56201685 - Jail Treatment</b>		
Salaries And Employee Benefits	\$	5,762,207
Services And Supplies	\$	790,192
Other Charges	\$	-
General Fixed Assets	\$	-
Subtotal	\$	6,552,399
<b>Total</b>	<b>\$</b>	<b>71,290,538</b>
Operational Bed Capacity (6/30/12)		2,427
Cost Per Bed	\$	29,374
Average Daily Population (FY2011-12) <sup>1</sup>	\$	2,124
<b>Cost Per Inmate</b>	<b>\$</b>	<b>33,564</b>

<sup>1</sup> ADP based on average 12 month-end jail bed count snapshots

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## **SECTION 3**

### **JAIL-BED DEMAND**

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## SECTION OVERVIEW

This section provides: a) discussion of the methodology, approach, and assumptions that the Project Team used to develop forecasts of jail bookings and the average daily inmate population; b) the data sources used; c) the classification system currently in use; d) documentation of salient historical jail bed service demand trends; e) analyses of these trends in terms of: jail booking rates, average daily population, average length of stay (ALOS), and inmate profile; f) alternative jail service demand forecasts based on past trends and anticipated changes in the system; g) the specific jail bookings and average daily population forecasts recommended by the Project Team and approved by the County; and ultimately, h) estimates of the corresponding jail beds required versus existing capacity.

*This section addresses the requirements of Title 24 2008 Regulations; 13-102 Needs (c) Needs Assessment Study; specifically Items:*

- C. The current inmate population*
- D. The classification system*
- F. Analysis of local trends, planning assumptions, projected inmate populations (Note: program cost, which is also part of this requirement, is addressed elsewhere in this document)*

## JAIL-BED PROJECTIONS METHODOLOGY

In general, the Project Team forecasted future jail bed requirements by generating and applying the following analyses and largely sequential processes:

1. Analyze Historical Jail Service Demand Trends: This process entailed:
  - *Collecting Comprehensive Historical Jail Service Demand Data and Information:* The Project Team compiled ten years of historical annualized data, including, but not limited to: a) total county population levels; b) misdemeanor and felony arrests; c) jail bookings; d) average daily population; e) peak population; f) annual number of jail days; g) average length of stay; and, h) aggregated inmate population profile data in terms of gender and court status (pre-sentenced versus sentenced inmates).
  - *Aggregating Historical Data:* The Project Team organized the collected data into structured spreadsheets and graphs to facilitate analysis of the information to identify and understand any statistical variations that might exist, and most importantly, to surface salient trends that could impact future jail service demand.
  - *Identifying Possible Data Anomalies and Understanding Them:* The Project Team reviewed all assembled data and discussed a number of issues with Jail Management to ascertain its accuracy and validity, and to understand if there were any significant underlying factors which may have skewed, or significantly affected the data being analyzed: Especially considering the budget constraints that led to significant operating jail bed capacity that began in 2008 and have continued to present.
  - *Analyzing the Data:* The Project Team analyzed a host of historical data and held conversations with jail management to fully understand how this data may impact future ADP levels in the jail, placing particular attention on:
    - Annual jail bookings per 1,000 total county population.
    - Average daily inmate population (ADP) levels per 1,000 total county population.
    - ADP distributed by court status (pre-sentenced versus sentenced) and gender;

- Average inmate length of stay; and,
  - The correlation of temporary reductions in jail operating capacity between years 2008-2013 to that of bookings, average daily population, average length of stay, and inmate profile.
2. Project Statistical Average Daily Inmate Population Baseline Forecast : The Project Team used the following industry-standard to develop several alternative ADP forecasts based on varying assumed booking rates and average length of stay.

$$\begin{array}{c} \text{(Annual Bookings Rate Per Capita) X (Average Inmate Length of Stay)} \\ \\ = \\ \text{Total Projected Annual Jail Days} \\ \text{365 Days per Year} \\ \\ = \\ \text{Projected Average Daily Population} \end{array}$$

The following narrative explains in more detail how the criterion that was used in the preceding formula was developed by the Project Team.

- *Forecasting Jail Bookings:* The Project Team developed several alternative forecasts of jail bookings, with the intent of establishing the likely minimum and maximum parameters of future demand, and ultimately selecting a most-likely specific forecast. All forecasts were developed in annualized increments between 2013-17 and then in five-year planning increments through year 2037. The Project Team utilized a variety of statistical methodologies to develop these jail booking forecasts, including:
  - Applying a number of selected alternative historical booking rates per 1,000 county population to forecasted county population levels.
  - Selecting a most-likely forecast of annual bookings, especially considering the wide economic swings the County has experienced over last the decade, and the more recent impacts of AB109.
- *Projecting the Average Daily Prisoner Population:* This task encompassed:
  - Developing alternative forecasts, by applying the resulting alternative projected booking levels (per the previous step) against varying inmate average length of stay assumptions, based on general selected historical trends, and accounting for varying jail operating capacities due to budgetary fluctuations, the Federal Consent Decree regarding jail-bed capacity management release criteria, and the impact of AB 109.
  - Taking into account the latest data and changes in law and justice operations. Including:
    - Ongoing processes to improve efficiencies in the court system, that are intended to speed pre-sentenced inmates to trial and/or through the system.
    - The transfer of AB109-subject state prisoners to County incarceration and supervision.

3. Estimate the Amount of Required Jail Beds: The formula used to estimate the future amount of actual required jail beds is:

$$\frac{(\text{Average Daily Population} + (\text{Peak Demand Factor}))}{\text{Operational/Federal Consent Decree Factor}} + \text{Anticipated Quantity of Federal Contract Beds} = \text{Total Required Beds}$$

The monthly and weekly peaking factors used were determined by evaluating and synthesizing historical peak demand period data and applying one standard deviation of the results to the selected average daily population forecast. Subsequently, dividing the results by an operational factor is necessary for the following reason. Jails must have the ability to segregate a wide variety of populations by gender, security classification, special needs, and other factors. Therefore, in order to accomplish this, it is impossible to have 100% of a given units beds occupied 100% of the time. Typical jail practice has been to consider a facility at full capacity when it reaches approximately 90% of capacity.

In Fresno County's case, continued overcrowding prior to 1993 resulted in a lawsuit and Federal Consent Decree and subsequent change in the Jails Policies and Procedures, specifically the introduction of No. C-211; Criteria for Inmate Release from Custody, which states: *"The Sheriff of Fresno County, or his/her designee, is authorized to release inmates from the Fresno County Jail System or refuse to accept new arrestees for booking into the Fresno County Jail System whenever the Fresno County Jail System, or any facility therein, or any specific housing unit therein, reaches ninety percent (90%) of capacity. The Sheriff, or his/her designee, shall release inmates or refuse to accept new arrestees when the total population of the Fresno County Jail System, or any facility therein, or any housing unit therein, reaches one hundred percent (100%) of capacity. For purpose of this policy, "capacity" is defined as actual staffed capacity."* As part of the decree there are defined inmate release criterions for both pre-sentenced and sentenced inmates, that provides for the logical prioritization and system release of inmates based on type of charge and/or convicted offense as well as amount time remaining on those who have been sentenced to jail time.

4. Determining the Actual Number of Jail Beds to Construct: Lastly, the total number of beds to construct is dependent upon how many beds will be retained in the jail system through the planning horizon of this project versus total projected demand.

## DATA SOURCES

### County Population

- Historical Population Estimates: California Department of Finance; Report E-1, City/County Population Estimates; May 2012
- Projected Population: California Department of Finance; Interim Population Projections for Counties and States; May 2012

### Jail Service Demand Related Data

All historical arrests data was obtained from the State of California’s Department of Justice. Comprehensive data related to jail bookings and daily population counts by inmate type (as well as staffing and facilities information, which are subjects that are addressed in other sections of this report), were provided by the Fresno County Sheriff’s Department.

### CLASSIFICATION SYSTEM

*(Addresses Item D, The Classification System, per T-24 Section 13-102 (c) Needs Assessment criteria)*

The Fresno County Jail maintains an inmate classification system to: a) ensure that the wide variety of all inmate populations are properly housed within the Jail; b) to enhance the safety of staff and inmates; and, c) to facilitate specific and appropriate programming to like types of inmates. Operating as a typical Type II facility in the State of California, the Jail Division includes a Classifications Unit that is responsible for determining how to most appropriately house all inmates within the Jail. Staff within this unit are responsible for classifying, interviewing, and properly housing each incoming inmate into the facility. They are also responsible for a daily reevaluation of the pod/inmate classifications in the facility, in addition to other responsibilities and activities. Below is a listing of all classifications currently in use:

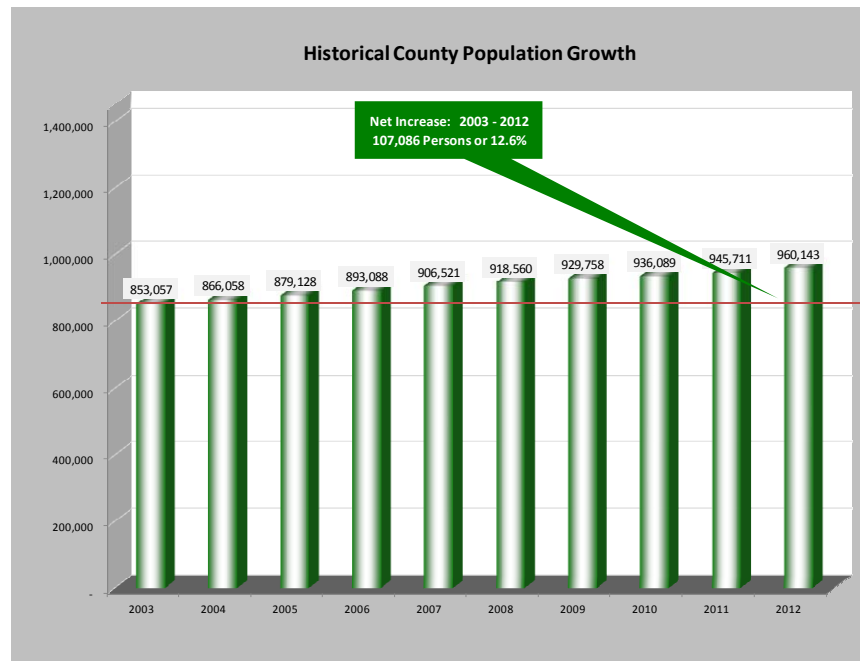
<u>CLASSIFICATION CODE</u>	<u>DESCRIPTION</u>
<b>HIGH POWER</b>	
ADMIN SEGREGATION 0	[HOMOSEXUAL]
ADMIN SEGREGATION 1	[BULLDOG ACTIVE]
ADMIN SEGREGATION 2	[BULLDOG DROP]
ADMIN SEGREGATION 3	[NORTENO ACTIVE]
ADMIN SEGREGATION 4	[NORTENO DROP]
ADMIN SEGREGATION 5	[SURENO ACTIVE]
ADMIN SEGREGATION 6	[SURENO DROP]
ADMIN SEGREGATION 7	[AB ACTIVE]
ADMIN SEGREGATION 8	[AB DROP]
ADMIN SEGREGATION 9	[NLR ACTIVE]
ADMIN SEGREGATION 10	[NLR DROP]
ADMIN SEGREGATION 11	[SKINHEAD ACTIVE]
ADMIN SEGREGATION 12	[SKINHEAD DROP]
ADMIN SEGREGATION 13	[ASIAN GANG]
ADMIN SEGREGATION 14	[BLACK GANG]
ADMIN SEGREGATION 15	[BB/PIASA]
ADMIN SEGREGATION 16	[OMG/TYPE]
ADMIN SEGREGATION 17	[PECKERWOOD]
ADMIN SEGREGATION 18	[PC CASE]
ADMIN SEGREGATION 19	[SEX CRIME]
ADMIN SEGREGATION 20	[PSYCH]
ADMIN SEGREGATION 21	[MANAGEMENT PROB]
ADMIN SEGREGATION 22	[DISCIPLINE]
<b>MALE GP</b>	
MINIMUM	(MMIN)
MEDIUM	(MMED)
MAXIMUM	(MMAX)
HIGH MAXIMUM	(HMAX)
<b>FEMALE GP</b>	
MINIMUM	(FMIN)
MEDIUM	(FMED)
MAXIMUM	(FMAX)

## HISTORICAL SERVICE DEMAND TRENDS

### County Population Estimates

Exhibit 3.1 below provides an overview of total county population growth over the previous 10 years, which served as the historical baseline period for evaluating jail service demand trends. During this timeframe the County's population increased from 853,057 to 960,143 persons, which equates to a net increase of 107,086 persons, or 12.6%.

*Exhibit 3.1: Historical County Population Growth*



### Jail Service Demand and Trends: 1993-2012

#### Overview:

The purpose of compiling and synthesizing the historical service demand data addressed below is to surface salient trends that would serve as the foundation from which the Project Team could develop logical and empirical statistically based jail service demand forecast parameters. Once established, these parameters would form the basis from which the Project Team could develop more detailed and specific jail bed projection needs, based on a number of factors and educated assumptions that are addressed later in this Section. The criteria used in this analysis included: county population, jail capacity, annual jail bookings, average annual total jail days, average daily population, average length of stay, and inmate profile data (gender, sentencing status, and security classification status).

Note that Federal Prisoners housed under contract have been largely excluded in our analysis and projections, other than to assume that the County will continue to provide a fixed number of Federal Beds indefinitely, as addressed in subsequent paragraphs of this Section.

#### Terminology:

One term used frequently in the following discussion when analyzing data over a period of multiple years is "adjusted average rate" per population. The "*adjusted average rate*" simply results from excluding the years

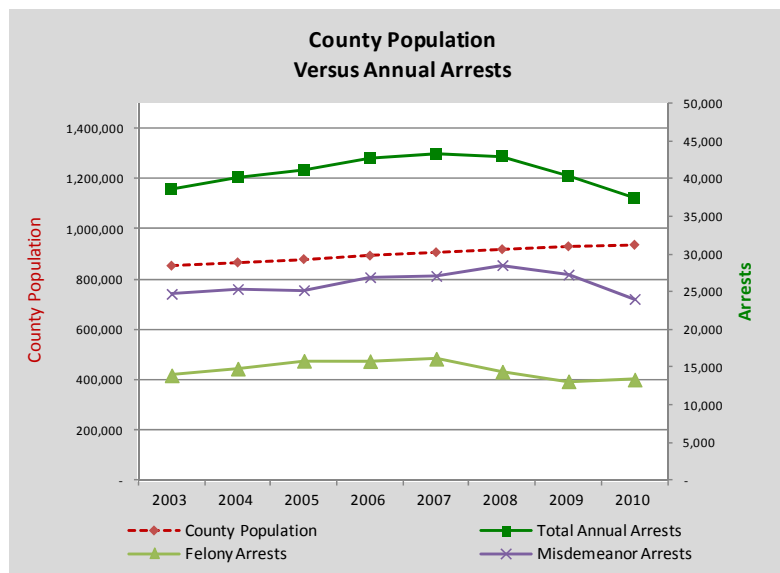
which had the lowest and highest rates from an entire multi-year dataset being analyzed and then taking the average of the remaining years. When a sufficient number of years are included in an analysis, eliminating the high and low year, should reduce the possibility of skewed results based on any abnormally low or high annual figures due to potential anomalies in record keeping, or other factors).

### Arrest Trends

Exhibit 3.2 provides historical arrest data for all Non-Federal inmates from 2003-10 (unfortunately complete arrest data was not available for 2011-12 when this document was generated).

Exhibit 3.2: Annual Arrests, 2003-10

Year-End Data	RECORDED DATA										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>County Population</b>												
Total Population	853,057	866,058	879,128	893,088	906,521	918,560	929,758	936,089	945,711	960,143	107,086	12.6%
<b>Adult Arrests</b>												
<u>Volume:</u>											2003-10 Only	
Felony	13,908	14,804	15,840	15,788	16,115	14,401	13,114	13,345	Data Unavailable		(563)	-4.0%
Misdemeanor	24,717	25,362	25,215	26,928	27,097	28,532	27,279	24,048	Data Unavailable		(669)	-2.7%
Combined Total Arrests	38,625	40,166	41,055	42,716	43,212	42,933	40,393	37,393	Data Unavailable		(1,232)	-3.2%
<b>Adult Arrest Per 1,000 Population</b>											2003-10 Only	
Felony	16.3	17.1	18.0	17.7	17.8	15.7	14.1	14.3	Data Unavailable		(2.0)	-12.6%
Misdemeanor	29.0	29.3	28.7	30.2	29.9	31.1	29.3	25.7	Data Unavailable		(3.3)	-11.3%
Combined Total Arrests	45.3	46.4	46.7	47.8	47.7	46.7	43.4	39.9	Data Unavailable		(5.3)	-11.8%
Rate Comparison Analysis	Min.	39.95			Avg.	45.50	Adj. Avg.	34.53		Max.	47.83	



As shown:

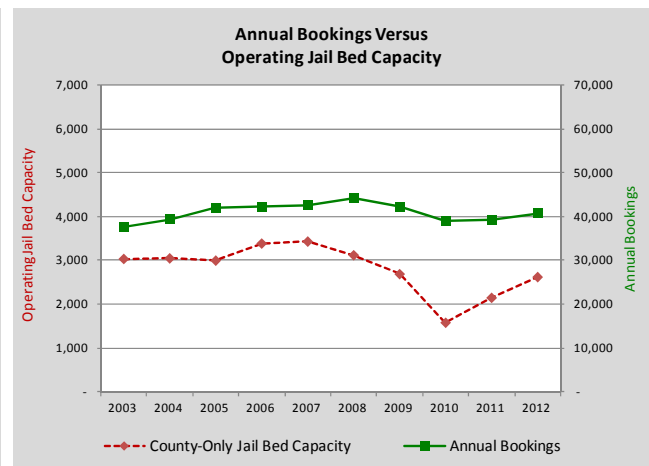
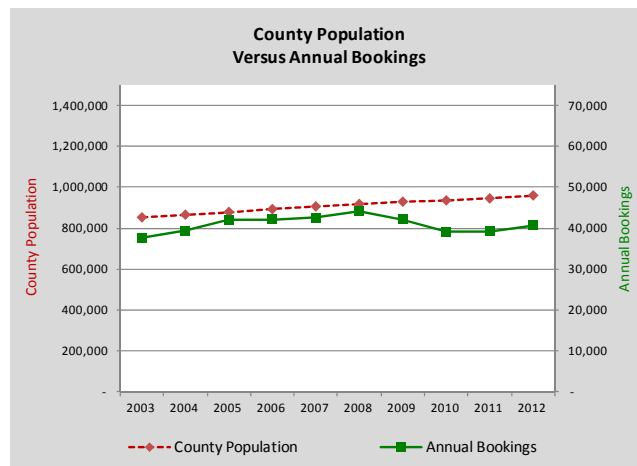
- Although total arrests increased from year 2003 through 2007, they declined thereafter through 2010. This trend remained the case for felony and misdemeanor arrests.
- However, over the entire timeframe analyzed, arrest rates *per capita* declined substantially, as the County's population continued to grow. Although these reduced arrest rates per capita mirror over-all national trends, the Project Team believes that one of the key reasons was that the operational bed capacity of the Jail began to be reduced in 2008 –approximately the same time per capita arrest rates began to decline. This issue will be addressed later in this report.

### Jail Booking Trends

In general, annual bookings over the previous ten years increased at a rate slightly slower than population. However, the Project Team believes bookings would have increased at a higher rate than occurred because of the reduction in jail capacity (due to budget constraints) that transpired between 2008-12.

Exhibit 3.3: Annual Bookings; 2003-12

Year-End Data	RECORDED DATA										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>County Population</b>												
Total Population	853,057	866,058	879,128	893,088	906,521	918,560	929,758	936,089	945,711	960,143	107,086	12.6%
<b>Jail Bookings</b>												
<b>Volume:</b>												
Non-Federal Bookings	37,572	39,398	41,960	42,182	42,558	44,237	42,156	39,037	39,251	40,750	3,178	8.5%
Federal Bookings	860	935	1,215	1,380	727	921	817	875	754	519	(341)	-39.7%
Total Bookings	38,432	40,333	43,175	43,562	43,285	45,158	42,973	39,912	40,005	41,269	2,837	7.4%
<b>Bookings Per 1,000 Population</b>												
Non-Federal Only	44.04	45.49	47.73	47.23	46.95	48.16	45.34	41.70	41.50	42.44	(1.60)	-3.6%
Rate Comparison Analysis	Min.	41.50		Avg.	45.06	Adj. Avg.	45.12		Max.	48.16		
Rate Comparison (2003-07)	Min.	44.04		Avg.	46.29	Adj. Avg.	46.56		Max.	47.73		
<b>Bookings Per Jail Bed Capacity</b>												
Non-Federal Only	858	893	896	839	862	877	920	972	766	890	32	3.7%
Rate Comparison Analysis	Min.	766		Avg.	877	Adj. Avg.	879		Max.	972		



More specifically:

- Bookings increased from 37,572 to 40,750, which equals a net increase of 3,178 bookings, or 8.5%, which was slightly lower than the total county population increase of 12.5%.
- Correspondingly, the annual rate of bookings per 1,000 county population decreased, from 44.04 to 42.44 respectively.
- However, prior to bed capacity operating constraints, the annual booking rate had been increasing for the previous five years. Further, as the full impact of operating bed capacity increases began to be felt in 2012 due largely to the advent of AB109 funding, the annual booking rate began once again to increase.

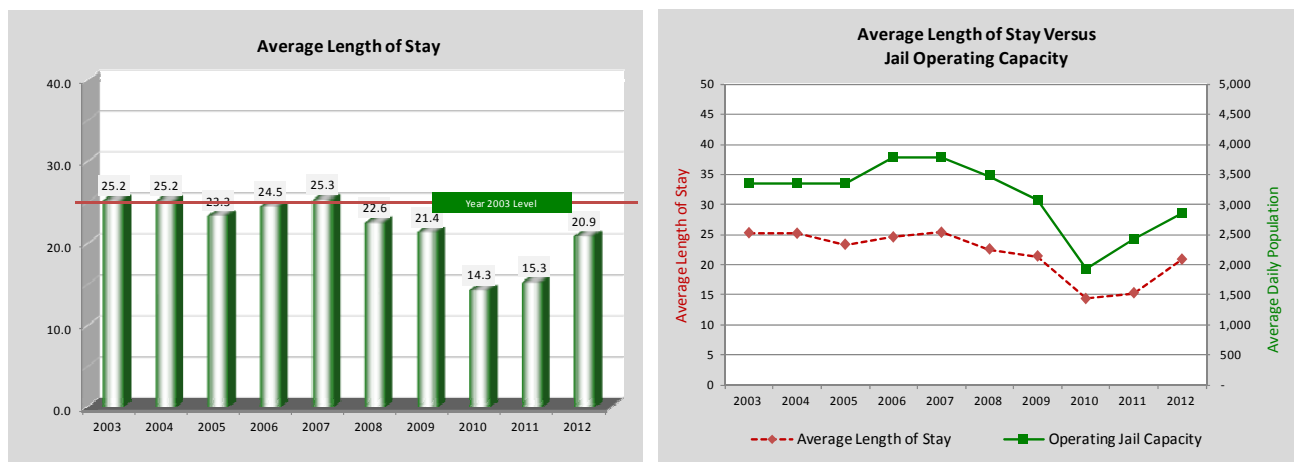
From discussions with Jail management staff and the Project Team’s experience with other counties, it is typical that booking rates decline relative to jail bed capacity primarily for two practical reasons: 1) local law enforcement officers become more likely to “cite and release” those committing lesser offenses, because they believe those offenders will just quickly be “back on the street” and/or, 2) due to the increased time it takes to book an arrestee due to lack of capacity in the jail.

#### Average Length of Stay and Average Daily Population Trends:

Exhibit 3.4 provides charts demonstrating that over the previous ten years, the average length of stay closely mirrored jail bed operating capacity.

- When the jail was operating at full physical capacity (3,346/3,778 beds) between 2003-07, the ALOS generally ranged between 24-25 days.
- However, when jail operating capacity began to be reduced in 2008 so did the ALOS. By the time jail capacity reached its lowest levels decline in 2010 (when the operating capacity was 1,923 beds, or only 50.9% of its capacity in 2007), the ALOS had declined to 14.31 days.

*Exhibit 3.4: Average Inmate Length of Stay; 2003-12*

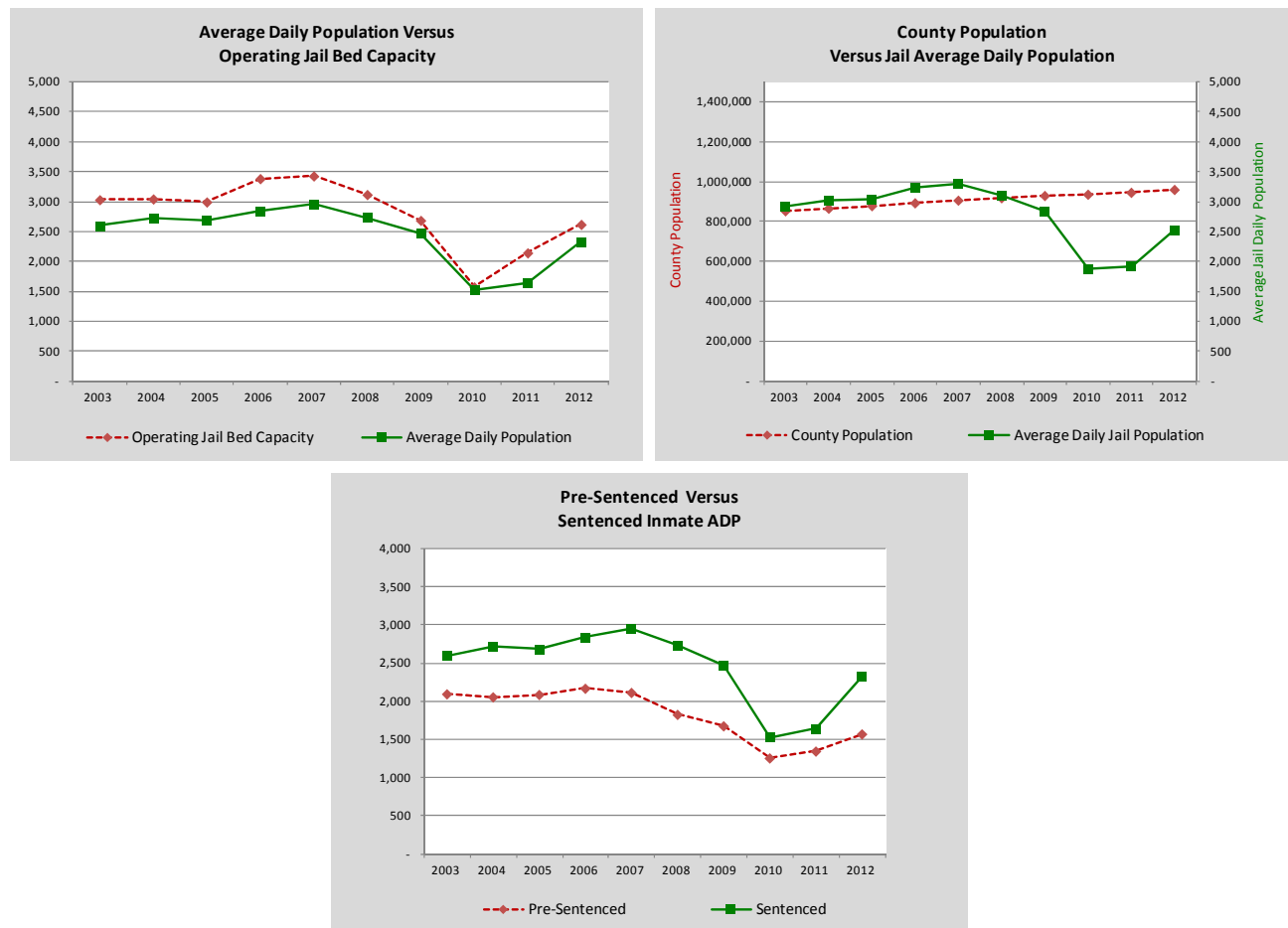


Hence, the correlation between average length of stay and jail capacity is indisputable as the relationship between operating jail capacity and average daily population levels, especially in light of the Federal Consent Decree relative to jail-bed capacity management.

Indeed, this is the case as demonstrated by Exhibit 3.5, which depicts the jail inmate ADP decreasing from 2,599 to 2,328 (10.4%) between 2003-12. These figures exclude that of Federal Prisoners. It also makes sense that the majority of the reductions in ADP occurred within the sentenced cohort, as new inmates continued to be booked into the system. The reductions in sentenced inmates were made under revised policies and procedures drafted as a result of a Federal Consent Decree, which in general called for the prioritized release of inmates by severity of charge and length of sentence remaining (meaning those with the least amount of time left to serve are released first).



Exhibit 3.5: Average Daily Inmate Population Trends



### Recent Events – 2013

In January, the Jail opened the last remaining housing floor of the North Annex that was closed due to budget constraints, adding 432 beds and resulting in an operating capacity of 3,291 total beds. These beds were quickly occupied as the month-end January snapshot showed a total ADP of the jail of 3,249 inmates.

This most recent event provides even more substantiation of the initial supposition that the decline in the rate of jail bookings per capita, average length of stay, and average daily population, were overwhelmingly the result of declining operating capacity due to County financial constraints and not other factors.

*Therefore, despite all of the previous analysis, including the wide swings in data that occurred from 2008-12, the County has in a sense, begun to return to "business as usual," except that a good portion of the recent increases were due to the continued implementation of AB109.* Therefore, because jail bookings have continued to increase and because 187 beds in the South Annex remain closed, the Project Team believes that the current ADP is still in a sense artificially depressed.

### Ongoing Impact of Federal Consent Decree

*It is also very important to recognize that for the entire historical period analyzed, the Federal Consent Decree was in effect, and therefore the number of total jail-bed days that otherwise would have been required*

*has been suppressed.* Although it was not cost-effectively feasible to extract the necessary data from the Jail's database to estimate the total number of jail-days that otherwise would have been incurred by the entire population, sufficient data was available for the sentenced population and parole/post-release supervision violators.

Exhibit 3.6 shows that for year 2012, 37,919 jail-bed days were not incurred due to Order of the Court Releases (OCR). If these releases had not occurred, 104 beds would have been needed. Given that the sentenced population in 2012 represented only 32% of the entire jail population, it is evident that the Federal Consent Decree, combined with a lack of jail bed capacity has greatly influenced the total number of jail days that would have been incurred. *Therefore, this historical baseline of average daily population levels and average length of stay is inherently understated from actual need.*

Exhibit 3.6: OCR Release Data Year 2012 – Sentenced Inmates Only

Code	Sentenced Only	Days Not Served	Percentage of Total
	Primary Charge		
OCR5	Sentenced Misdemeanor charges	12,431	33%
OCR6	Sentenced - Felony	18,217	48%
OCR9	Post Release Supervision Violations – Flash Incarceration	11	0%
OCR10	Post Release Supervision Violations – Formal Revocation	1,374	4%
OCR11	Sentenced felony charges	5,886	16%
Total Jail Days Not Incurred		37,919	
Total Reduction in Jail Beds Required		104	

Exhibit 3.7 (next page) provides detailed 10-year historical jail data and analysis of net change the criteria analyzed, per capita rates, and per bed rates.

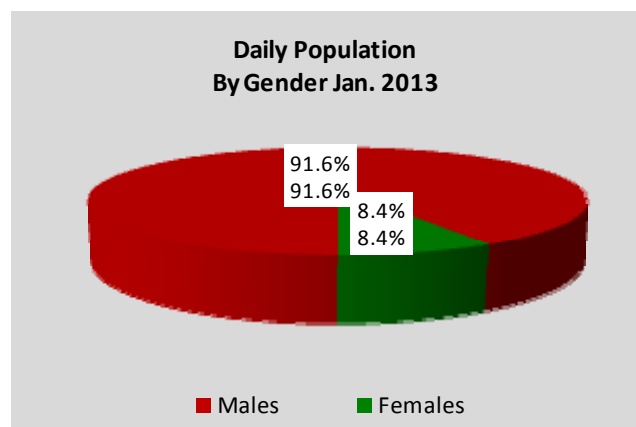
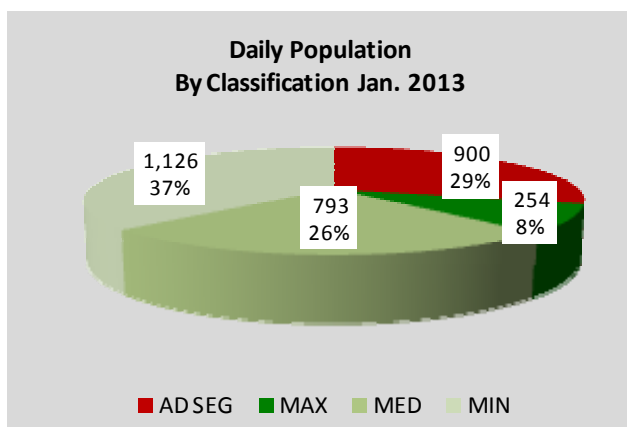
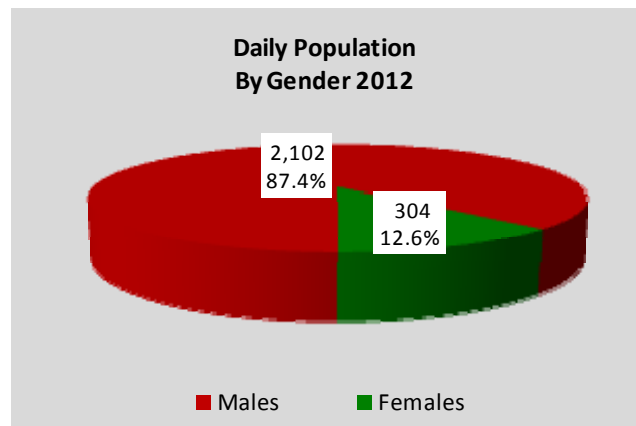
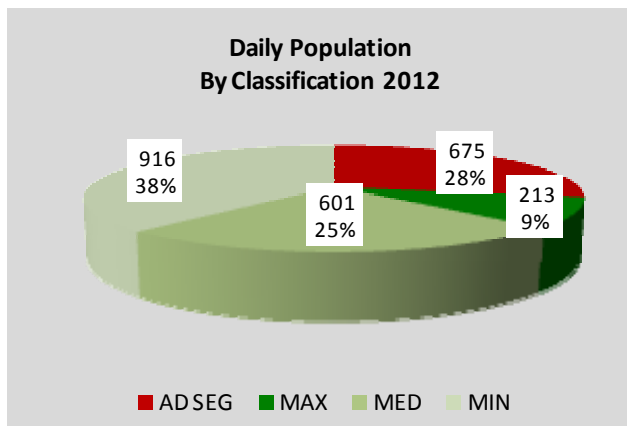
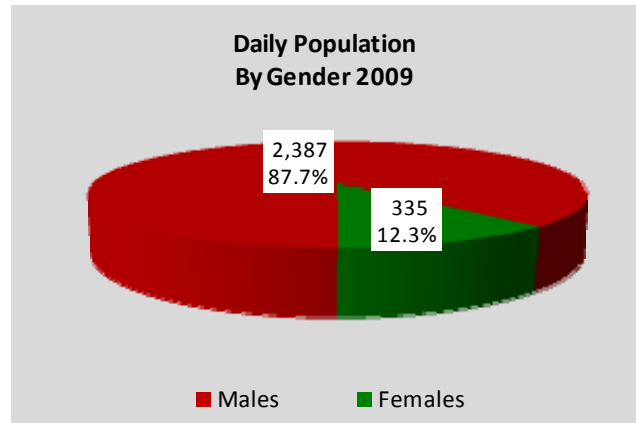
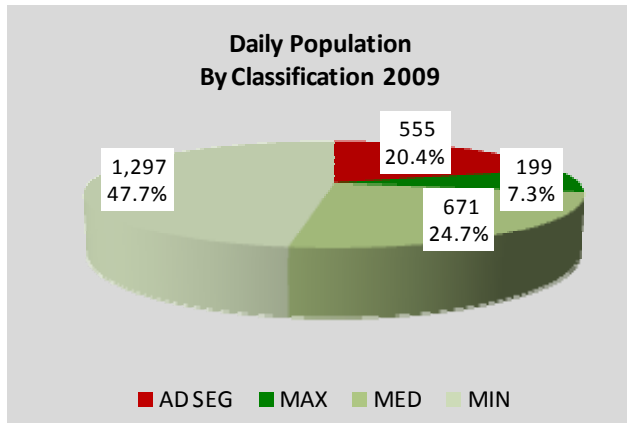
Exhibit 3.7: Detailed Historical Jail Service Demand Trends

Year-End Data	RECORDED DATA										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>County Population</b>												
Total Population	853,057	866,058	879,128	893,088	906,521	918,560	929,758	936,089	945,711	960,143	107,086	12.6%
<b>Jail Capacity</b>												
Total Jail Bed Physical Capacity	3,346	3,346	3,346	3,778	3,778	3,478	3,478	3,478	3,478	3,478	132	3.9%
Closed Housing Unit Beds	-	-	-	-	-	300	410	1,555	1,051	619	619	-
Total Jail Bed Operating Capacity	3,346	3,346	3,346	3,778	3,778	3,478	3,068	1,923	2,427	2,859	(487)	-14.6%
Federal Contract Beds	316	303	354	396	351	362	383	349	284	242	(74)	-23.4%
<b>County-Only Jail Bed Capacity</b>	<b>3,030</b>	<b>3,043</b>	<b>2,992</b>	<b>3,382</b>	<b>3,427</b>	<b>3,116</b>	<b>2,685</b>	<b>1,574</b>	<b>2,143</b>	<b>2,617</b>	<b>(413)</b>	<b>-13.6%</b>
<b>Jail Bookings</b>												
<u>Volume:</u>												
Non-Federal Bookings	37,572	39,398	41,960	42,182	42,558	44,237	42,156	39,037	39,251	40,750	3,178	8.5%
Federal Bookings	860	935	1,215	1,380	727	921	817	875	754	519	(341)	-39.7%
Total Bookings	38,432	40,333	43,175	43,562	43,285	45,158	42,973	39,912	40,005	41,269	2,837	7.4%
<b>Combined Average Daily Population</b>												
Non-Federal Inmates	2,599	2,717	2,682	2,836	2,953	2,733	2,469	1,530	1,642	2,328	(271)	-10.4%
Federal Inmates	316	303	354	396	351	369	376	344	281	201	(115)	-36.4%
Total ADP	2,915	3,020	3,036	3,232	3,304	3,102	2,845	1,874	1,923	2,529	(386)	-13.2%
ADP Percent of Jail Capacity	96.2%	99.2%	101.5%	95.6%	96.4%	99.6%	106.0%	119.1%	89.7%	96.6%	0.00433	0.0045
<b>Average Daily Population By Court Status (Non-Federal Prisoners Only)</b>												
Pre-Sentenced	2,097	2,058	2,089	2,170	2,115	1,828	1,678	1,257	1,348	1,573	(524)	-25.0%
Sentenced	502	659	593	673	838	905	791	273	294	755	253	50.4%
All Inmates Combined	2,599	2,717	2,682	2,843	2,953	2,733	2,469	1,530	1,642	2,328	(271)	-10.4%
<b>Average Length of Stay</b>												
All Non-Federal Inmates	25.25	25.17	23.33	24.54	25.33	22.55	21.38	14.31	15.27	20.85	(4)	-17.4%
Year-End Data	TRENDS ANALYSIS										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>Bookings Per 1,000 Population</b>												
Non-Federal Only	44.04	45.49	47.73	47.23	46.95	48.16	45.34	41.70	41.50	42.44	(1.60)	-3.6%
Rate Comparison Analysis	Min.	41.50		Avg.	45.06	Adj. Avg.	45.12		Max.	48.16		
Rate Comparison (2003-07)	Min.	44.04		Avg.	46.29	Adj. Avg.	46.56		Max.	47.73		
<b>Bookings Per Jail Bed Capacity</b>												
Non-Federal Only	858	893	896	839	862	877	920	972	766	890	32	3.7%
Rate Comparison Analysis	Min.	766		Avg.	877	Adj. Avg.	879		Max.	972		
<b>Jail ADP Per 1,000 County Population</b>												
ADP Per 1,000 Pop	3.05	3.19	3.14	3.33	3.46	3.20	2.89	1.79	1.92	2.73	(0.32)	-10.4%
Rate Comparison Analysis	Min.	1.79		Avg.	2.87	Adj. Avg.	2.93		Max.	3.46		
Rate Comparison (2003-07)	Min.	3.05		Avg.	3.23	Adj. Avg.	3.22		Max.	3.46		
<b>Average Length of Stay</b>												
ADP Per 1,000 Pop	25.25	25.17	23.33	24.54	25.33	22.55	21.38	14.31	15.27	20.85	(4.40)	-17.4%
Rate Comparison (2003-12)	Min.	14.31		Avg.	21.80	Adj. Avg.	22.29		Max.	25.33		
Rate Comparison (2003-07)	Min.	23.33		Avg.	24.72	Adj. Avg.	24.99		Max.	25.33		
<b>Distribution of ADP by Court Status</b>												
Pre-Sentenced	81%	76%	78%	76%	72%	67%	68%	82%	82%	68%		
Sentenced	19%	24%	22%	24%	28%	33%	32%	18%	18%	32%		

### Inmate Profile Changes and Related Housing Issues

Exhibit 3.8 demonstrates how the typical inmate profile has changed between 2009 and January, 2013. The charts illustrating year 2009 and 2012 are based on the averages of a full years worth of data, whereas the data in the charts for January of 2013, are from a month-end daily snapshot. Note that consistent profile data records for prior years could not be cost-effectively produced by the Sheriff's Department due to record keeping software changes.

*Exhibit 3.8: Inmate Profile*



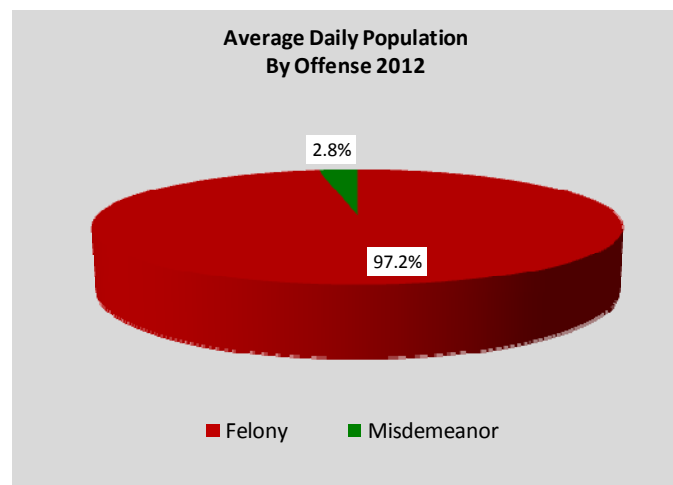
As shown, the most significant changes are the growing percentage of inmates housed in administrative segregation, which increased from 20% of the population in 2009 to 29% in January, of 2013, and in turn, a corresponding reduction in inmates being classified as Minimum Security. The percentage split between male and female inmates remained essentially unchanged between 2009 and most of 2012, but then began to decline to the levels shown in January 2013, as the jail management reduced the female population by systematic early releases to create more beds for more AB109 related offenders.

As discussed in Section 2, there is a large mismatch between the security classification profile of the Jail's inmates versus the physical types of beds available. Consequently, the Project Team believes the distribution of inmates by classification shown in the charts below understates the numbers of maximum and medium security inmates that would otherwise be housed in the Jail. However, it was not cost-effectively possible for the County to extrapolate the necessary information from their database to quantify the degree that this is occurring.

Exhibit 3.9 – Detailed Inmate Profile Data 2008-2012

Year-End Data	TRENDS ANALYSIS										ANALYSIS	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total Increase	Percent Increase
<b>Average Daily Population By Gender</b>												
Male						2,708	2,490	1,684	1,707	2,207	(501)	-18.5%
Female						395	356	190	216	322	(73)	-18.5%
<b>Total ADP</b>	-	-	-	-	-	<b>3,103</b>	<b>2,846</b>	<b>1,874</b>	<b>1,923</b>	<b>2,529</b>	(574)	-18.5%
<b>Distribution of Daily Population By Gender</b>												
Male						87.3%	87.5%	89.9%	88.8%	87.3%	0.0%	0.0%
Female						12.7%	12.5%	10.1%	11.2%	12.7%	0.0%	0.0%
<b>Average Daily Population by Primary Charge</b>												
Felony						2,902	2,661	1,799	1,857	2,459	(443)	-15.3%
Misdemeanor						201	185	75	66	71	(130)	-64.7%
<b>Total ADP</b>	-	-	-	-	-	<b>3,103</b>	<b>2,846</b>	<b>1,874</b>	<b>1,923</b>	<b>2,530</b>	(573)	-18.5%
<b>Distribution of ADP By Charge</b>												
Felony						93.5%	93.5%	96.0%	96.6%	97.2%	3.7%	3.9%
Misdemeanor						6.5%	6.5%	4.0%	3.4%	2.8%	-3.7%	-56.7%

Lastly, based on the detailed data provided above, and by reviewing data from the 2008 Plan, the Jail population has, and continues to be comprised nearly entirely of felons, which comprised on average over 97% of the total inmate population in 2012.

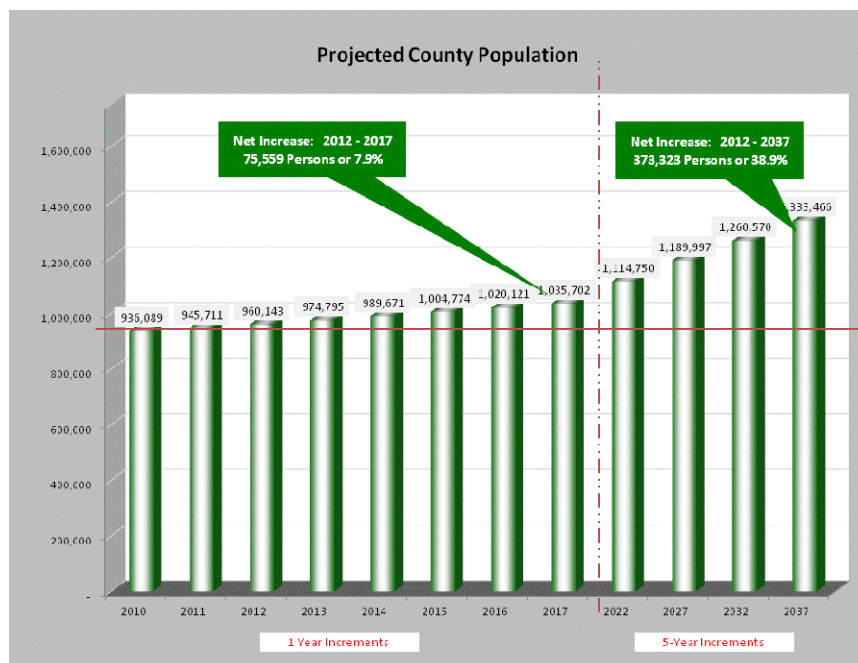


## JAIL-BED NEEDS

### County Population Projections

The California State Department of Finance Demographic Unit has forecasted that Fresno County's population will increase from 960,143 to 1,035,702 persons by 2017, and to 1,333,466 over the next 25 years. Exhibit 3.10 illustrates this growth and provides net increases for the periods shown. Given past arrest and booking trends, this population growth will place significant added demands on the County's law and justice system, and increased urgency for comprehensive plans to implement alternative to incarceration programs as well as additional jail beds.

*Exhibit 3.10: Projected County Population Growth*



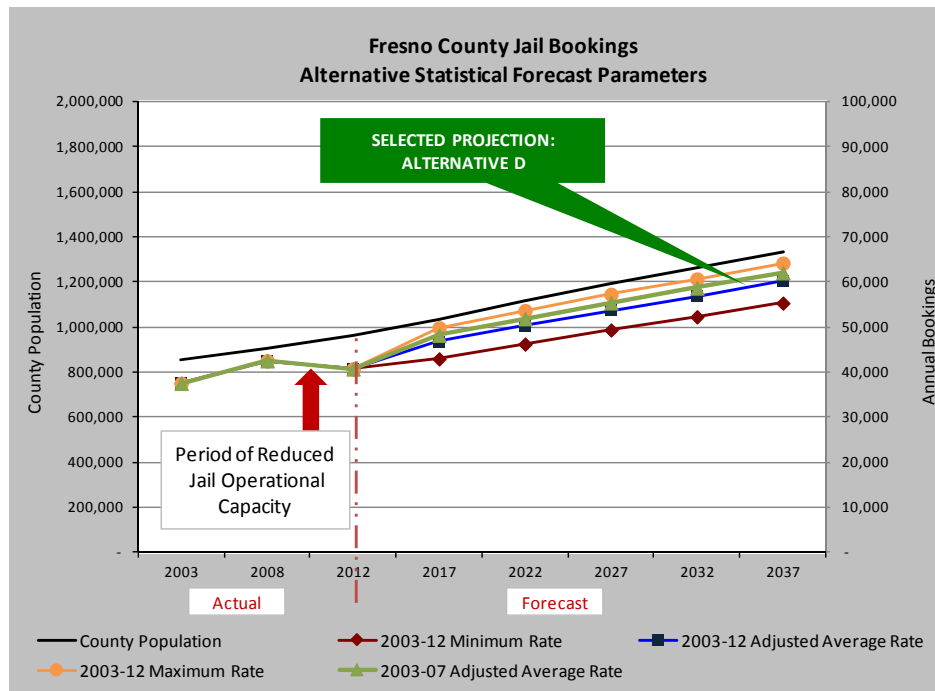
### Projected Jail Bookings

Per the previously discussed methodology, the Project Team generated four alternative jail-booking forecasts, which are shown in Exhibit 3.11 below. The Project Team developed these alternative forecasts to establish the logical jail-booking demand parameters (meaning the most minimum and maximum demand possibilities) that the County could likely expect, and secondly to provide the basis for selecting a most-likely jail bookings forecast.

Using this methodology of applying different assumed historical booking rates per 1,000 county population (as shown in the second column of the matrix below) to overall forecasted county population, future bookings could increase from the year 2012 level of 40,750 annual bookings to a range of between 42,986 and 49,878 bookings by year 2017 (increases of 5.5-22.5% respectively). Over the next 25-years these increases would range between 55,344 and 64,218, (36-58% respectively). The year 2037 figures equal a 16% difference between the minimum and maximum amount of bookings forecasted.

Exhibit 3.11: Jail Bookings – Alternative Forecasts

Criteria and Projections Basis	Applied Hist. Rate/ 1,000 Pop.	HISTORICAL DATA			PROJECTIONS					ANALYSIS	
		2003	2008	2012	2017	2022	2027	2032	2037	Net Change	Percent Change
County Population		853,057	906,521	960,143	1,035,702	1,114,750	1,189,997	1,260,570	1,333,466	373,323	39%
<b>Alternative Rate Forecasts</b>											
A. 2003-12 Minimum Rate	41.50	37,572	42,558	40,750	42,986	46,267	49,390	52,319	55,344	14,594	36%
B. 2003-12 Adjusted Average Rate	45.12	37,572	42,558	40,750	46,727	50,293	53,688	56,872	60,160	19,410	48%
C. 2003-12 Maximum Rate	48.16	37,572	42,558	40,750	49,878	53,685	57,309	60,708	64,218	23,468	58%
D. 2003-07 Adjusted Average Rate	46.56	37,572	42,558	40,750	48,219	51,899	55,402	58,688	62,081	21,331	52%



Ultimately, the Project Team selected Alternative D as the most likely one, primarily because we believed that the data between 2008-12 was not representative of long-term trends, due to: 1) the County's constrained budget, and in turn, the reduced operating capacity of the jail that occurred during that timeframe; and, 2) the resulting Federal Consent Decree, resulting in a policy of the Sheriff either not booking in, and/or systematically releasing inmates whenever the jail reached 90% of operating capacity.

Undeniably, the historical data demonstrates that as jail-operating capacity continued to return to full physical capacity, there was a corresponding increase in booking rates. Considering that the jail is still not yet operating at full capacity, and that beginning in the fall of 2011, the jail began to house AB109 inmates (as of January 31, 2013 there were 872 AB109 inmates housed in the Jail), we surmise that the booking rates of non-AB109 inmates could in reality still be somewhat suppressed. Therefore, given these most recent significant changes in operating bed capacity and bookings per capita rates, we urge the County to monitor booking rates as the jail returns to full capacity and if appropriate, revise the bed projections below.

### Projected Average Daily Inmate Population

Similar to the process used to develop jail bookings, the Project Team developed a set of four alternative average daily inmate jail population forecasts, in an effort to establish a logical range of future average daily population levels. Three alternatives were based on a) the adopted forecast of annual jail bookings (Alternative D); b) multiplying those bookings by different assumed average length of stay per inmate durations

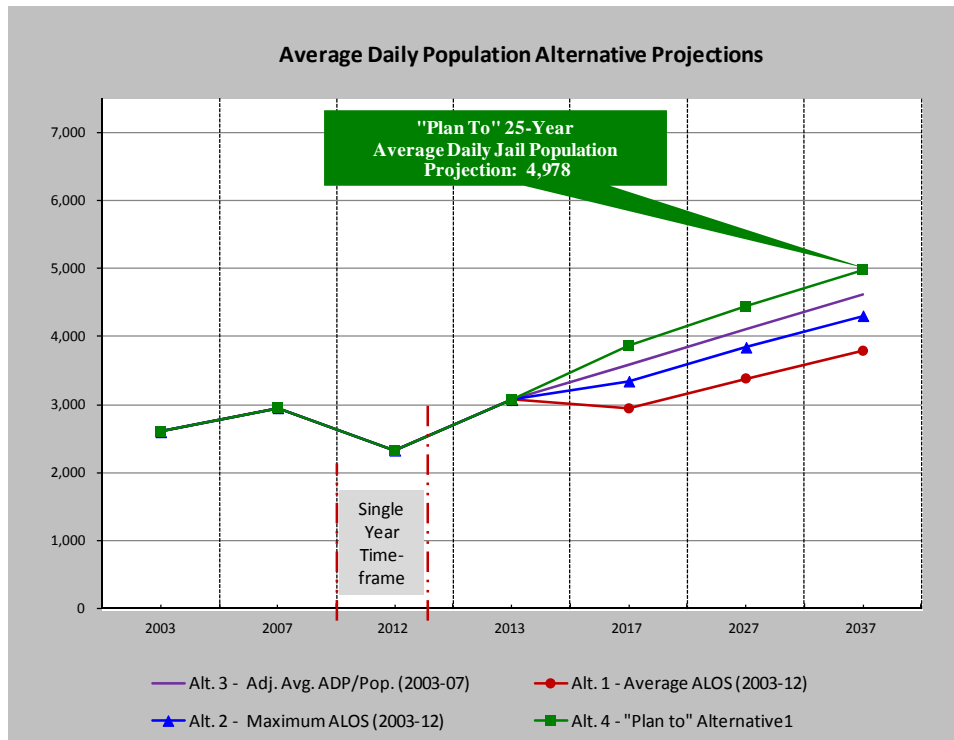
shown in the second column; and, c) dividing the previous result by 365 days to determine the estimated average daily population levels for each projection timeframe. A fourth alternative (Alternative C) was based on applying the historical average daily population rate per 1,000 population experienced between 2003-07 to forecasted county population increases.

Exhibit 3.12 shows that by year 2017, the resulting average daily jail population forecasts range between 2,945 and 3,867 beds, and that the 25-year forecasts yield a range of 3,792 to 4,978 beds. The year 2037 figures equate to a differential of 31% between the low and high forecasts for each period. The corresponding forecasted ADP per 1,000 county population in year 2037 are shown in the right-most column and range from 2.84-3.73 per population.

**Exhibit 3.12: Alternative Average Daily Inmate Population Forecast**

Methodology: Each scenario applies the selected bookings forecast (Alternative D) and different average length of stay (ALOS) assumptions to projected county population.	Applied Average Length of Stay (days)	Historical and Current Data				Projected Average Daily Population			Analysis - Jan 2013-2027		
		2003	2007	2012	2013	2017	2027	2037	Net Change	Percent Change	Yr. 2037 Rate Per 1,000 Pop.
County Population		853,057	906,521	960,143	975,256	1,035,702	1,189,997	1,333,466	373,323	37%	
Alt. 1 - Average ALOS (2003-12)	22.29	2,599	2,953	2,328	3,073	2,945	3,384	3,792	719	23%	2.84
Alt. 2 - Maximum ALOS (2003-12)	25.33	2,599	2,953	2,328	3,073	3,346	3,844	4,308	1,235	40%	3.23
Alt. 3 - Adj. Avg. ADP/Pop. (2003-07)	NA	2,599	2,953	2,328	3,073	3,585	4,119	4,616	1,543	50%	3.46
Alt. 4 - "Plan to" Alternative <sup>1</sup>	24.99	2,599	2,953	2,328	3,073	3,867	4,443	4,978	1,905	62%	3.73

<sup>1</sup> Applies the Adjusted Average Booking Rate per 1,000 county population and Average ALOS for years 2003-07, plus estimated AB109 impact.



Although there is a large spread among the four forecasts, the Project Team believes that Alternative D is the most likely alternative to occur for the following reasons:

1. The Alternative 1 and 2 forecasts are very unlikely, because the baseline period from which the ALOS data is derived (years 2003-12), included four years of data that occurred during the period of jail bed closures due to funding constraints. As discussed previously, these jail bed reductions have



now been almost entirely eliminated, and the jail should reach full operating capacity as economy continues to recover.

2. Although Alternative 3, is more indicative of “business as usual” because it is based on the adjusted average daily population levels per capita that occurred between 2003 and 2007, prior to the economic downturn, it still does not account for advent of state funding of AB109 inmates.
3. Because Alternative 4 is based on Alternative 3 *and includes* accounting for AB109 inmates, this forecast alternative should be a logical predictor of future ADP levels.

Because the County is developing and expanding a comprehensive Alternatives to Incarceration plan, Alternative 4 should certainly hold true in the near-term (through 2017), until these programs are fully implemented. At that point we urge the County to validate and potentially revise the long-range forecast as appropriate. Regardless, all of the above alternatives exclude the unforeseen, such as major changes in state law (e.g. legalization of marijuana, narcotics, prostitution, etc.). Exhibit 3.13 provides details relative to how these forecast were developed.

*Exhibit 3.13: Alternative Average Daily Inmate Population Forecast Detailed Data*

**Alternative 1 - Applies Alternative D Booking Forecast and the Average ALOS for years 2003-12 to projected county population increases**

Projection Methodology/Scenario	Applied Historic Rate	ACTUAL DATA 2012	PROJECTIONS					ANALYSIS	
			2017	2022	2027	2032	2037	Net Change	Percent Change
County Population		960,143	1,035,702	1,114,750	1,189,997	1,260,570	1,333,466	373,323	39%
Adjusted Average Booking Rate (2003-07)	46.56	40,750	48,219	51,899	55,402	58,688	62,081	21,331	52%
Average Length of Stay (Days): Average of Years 2003-12	22.29	20.85	22.29	22.29	22.29	22.29	22.29		
<b>Forecasted Average Daily Population</b>		<b>2,328</b>	<b>2,945</b>	<b>3,170</b>	<b>3,384</b>	<b>3,584</b>	<b>3,792</b>	<b>1,464</b>	<b>63%</b>
ADP Increase Over 2012 Level			617	842	1,056	1,256	1,464		
ADP Rate per 1,000 Population		2.42	2.84	2.84	2.84	2.84	2.84		

**Alternative 2 - Applies Alternative D Booking Forecast and the Maximum ALOS experienced between 2003-12 to projected county population increases**

Projection Methodology/Scenario	Applied Historic Rate	ACTUAL DATA 2012	PROJECTIONS					ANALYSIS	
			2017	2022	2027	2032	2037	Net Change	Percent Change
County Population		960,143	1,035,702	1,114,750	1,189,997	1,260,570	1,333,466	373,323	39%
Adjusted Average Booking Rate (2003-07)	46.56	40,750	48,219	51,899	55,402	58,688	62,081	21,331	52%
Maximum Average Length of Stay (2003-2012)	25.33	20.85	25.33	25.33	25.33	25.33	25.33		
<b>Forecasted Average Daily Population</b>		<b>2,328</b>	<b>3,346</b>	<b>3,601</b>	<b>3,844</b>	<b>4,072</b>	<b>4,308</b>	<b>1,980</b>	<b>85%</b>
ADP Increase Over 2012 Level			1,018	1,273	1,516	1,744	1,980		
ADP Rate per 1,000 Population		2.42	3.23	3.23	3.23	3.23	3.23		

**Alternative 3 - Applies the Year 2007 ADP per capita rate to projected county population increases**

Projection Methodology/Scenario	Applied Historic Rate	ACTUAL DATA 2012	PROJECTIONS					ANALYSIS	
			2017	2022	2027	2032	2037	Net Change	Percent Change
County Population		960,143	1,035,702	1,114,750	1,189,997	1,260,570	1,333,466	373,323	39%
ADP Per 1,000 Population - Adjusted Rate Years 2003-07)	3.46	2,328	3,585	3,859	4,119	4,364	4,616	2,288	98%
ADP Increase Over 2012 Level			1,257	1,531	1,791	2,036	2,288		
ADP Rate per 1,000 Population		2.42	3.46	3.46	3.46	3.46	3.46		

**Alternative 4 - Applies the Adjusted Average Booking Rate per 1,000 county population and Average ALOS for years 2003-07, plus estimated AB109 impact.**

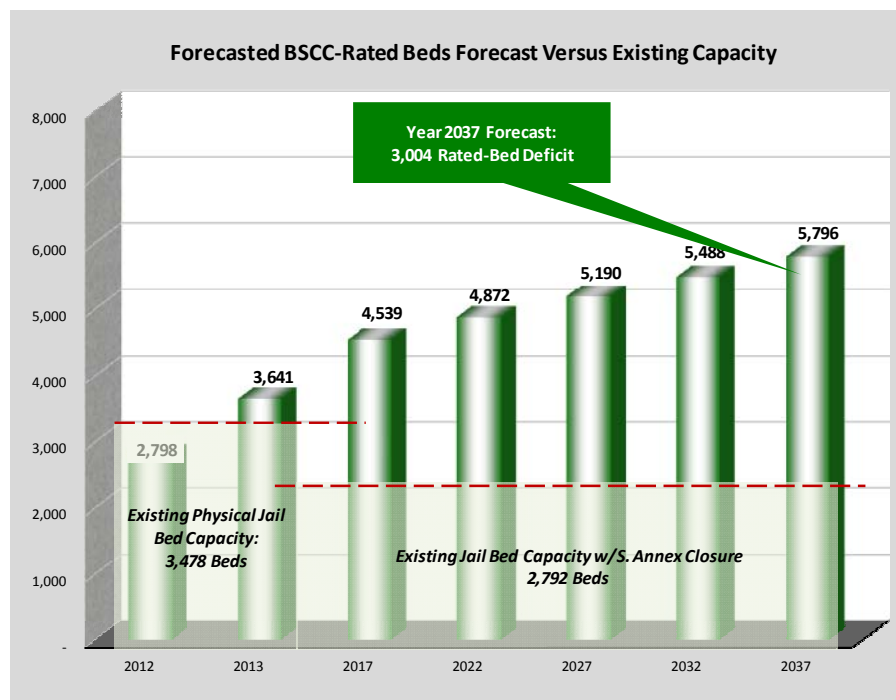
Projection Methodology/Scenario	Applied Historic Rate	ACTUAL DATA 2012	PROJECTIONS					ANALYSIS	
			2017	2022	2027	2032	2037	Net Change	Percent Change
County Population		960,143	1,035,702	1,114,750	1,189,997	1,260,570	1,333,466	373,323	39%
Adjusted Average Booking Rate (2003-07)	46.56	40,750	48,219	51,899	55,402	58,688	62,081	21,331	52%
Adjusted Average Length of Stay (2003-2007)	24.99	20.85	24.99	24.99	24.99	24.99	24.99		
Subtotal - Average Daily Population		2,328	3,301	3,553	3,793	4,018	4,250	1,922	83%
AB109 Impact*			566	609	650	689	728		
<b>Total Forecasted Average Daily Population</b>		<b>2,328</b>	<b>3,867</b>	<b>4,162</b>	<b>4,443</b>	<b>4,706</b>	<b>4,978</b>	<b>2,650</b>	<b>114%</b>
ADP Increase Over 2012 Level			973	1,225	1,465	1,690	1,922		
ADP Rate per 1,000 Population		2.42	3.19	3.19	3.19	3.19	3.19		

### Required BSCC-Rated Jail Beds

Exhibit 3.14 provides a synopsis of the total forecasted BSCC-rated jail-bed needs versus existing capacity. To restate, the number of *required* jail beds is commonly determined within the corrections industry by using the forecasted ADP as a baseline, and adding to factors to account typical daily peaks in bookings and ADP as well as an “operational” allowance. To restate, incorporating this operational allowance is essential to account for the day-in, day-out need to adequately segregate the many types of jail populations that must be housed and which are incompatible with one another (e.g. different gangs, etc.). Further, because of a Federal Consent Decree, the County has implemented a policy of either refusing to book in new arrestees and/or systematically release housed inmates, whenever the jail’s population exceeds 90% of operational capacity.

This chart also accounts for the assumption that the Jail’s South Annex would close by 2017, because it is operationally inefficient and should have outlived its cost-effective physical lifespan by that time, as documented in the 2008 Jail Needs Assessment and Master Plan, and in Section 2 of this document. *Note that the BSCC rated-capacity assumes that the BSCC will continue to grant triple bunking of existing dormitories, which currently exceed bed per square foot requirements.*

Exhibit 3.14: Required Jail Beds



As shown:

- By year 2017, 4,539 beds would be required, which would result in a net need of 1,747 jail beds.
- By year 2037, 5,796 beds would be required, resulting in a net need of 3,004 beds.

Exhibit 3.15 provides: a) a detailed accounting of the aforementioned factors that must be accounted for, and are additive to the ADP forecast, and their impact on required jail beds, b) the assumed quantity of beds that the Federal government will continue to contract for (albeit in lesser quantities than in the past); c) the total forecasted required bed capacities; d) the resulting forecasted bed net surplus or deficit; and, e)

the corresponding rates of county-only beds per capita.

Exhibit 3.15: Detailed Jail-Bed Requirements

		ACTUAL		PROJECTIONS					ANALYSIS	
		2012	2013	2017	2022	2027	2032	2037	Net Change	% Change
Criteria and Projections Basis	Co. Pop:	960,143	974,795	1,035,702	1,114,750	1,189,997	1,260,570	1,333,466	373,323	39%
Average Daily Jail Population		2,328	3,073	3,867	4,162	4,443	4,706	4,978	2,650	114%
Peaking Factor	2%	47	61	77	83	89	94	100	53	114%
Subtotal		2,375	3,134	3,944	4,245	4,532	4,800	5,078	2,703	114%
Operational/Fed Court Order Allowance	90.0%	259	341	430	462	494	523	553	294	114%
Required County Bed Capacity		2,633	3,476	4,374	4,707	5,025	5,323	5,631	2,998	114%
Federal Contract Beds @ 2012 Level		165	165	165	165	165	165	165		
<b>Total Required Bed Capacity</b>		<b>2,798</b>	<b>3,641</b>	<b>4,539</b>	<b>4,872</b>	<b>5,190</b>	<b>5,488</b>	<b>5,796</b>	<b>2,998</b>	<b>107%</b>
BSCC Rated Jail Bed Capacity*		3,478	3,478	2,792	2,792	2,792	2,792	2,792		
<b>Resulting Jail Bed Surplus/Deficit</b>		<b>680</b>	<b>(163)</b>	<b>(1,747)</b>	<b>(2,080)</b>	<b>(2,398)</b>	<b>(2,696)</b>	<b>(3,004)</b>		
Required County-Only Beds Per 1,000 Residents		2.74	3.57	4.22	4.22	4.22	4.22	4.22		

\* Note BSCC rated capacity based on waiver of triple bunked beds.

## REQUIRED JAIL BEDS BY TYPE

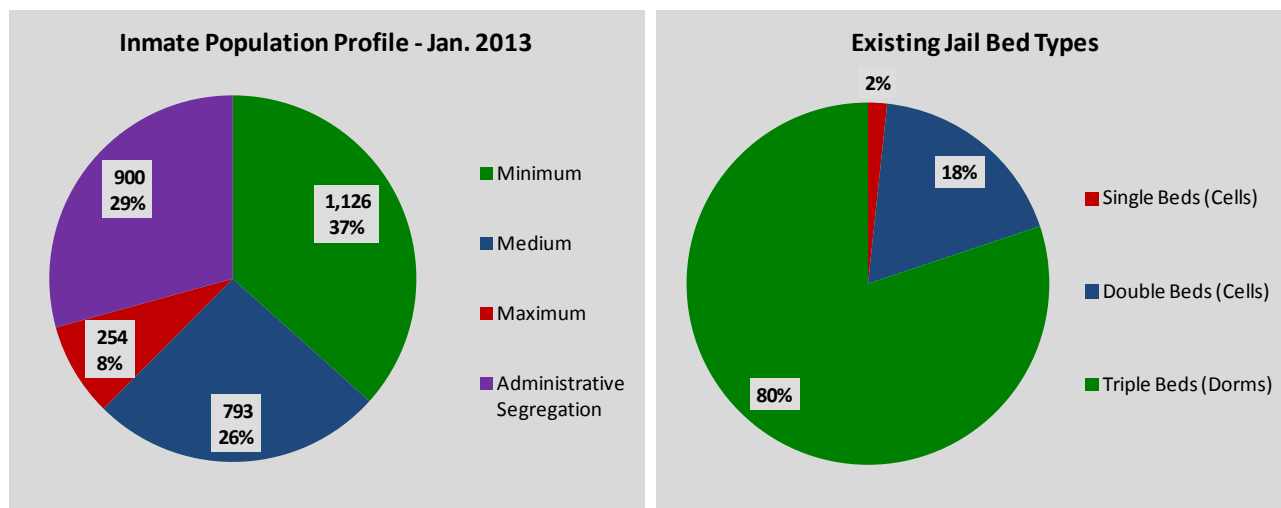
### Existing Jail Bed Inventory

As stated previously, there is a large mismatch between the security classification profile of the jail's inmates versus the physical types of beds available. Consequently, the Project Team believes the distribution of inmates by classification shown in the charts below, greatly understates the numbers of maximum and medium security inmates that would otherwise be housed in the Jail.

The American Correctional Jail Association (ACA) Accreditation criteria states that 30% of the cells in a county jail should be single-bed cells. *If this were the case in Fresno, the Jail should have 1,043 single-bed cells, versus the current 59.* Typically, all maximum-security inmates should be housed in single-bed cells, or at a minimum, double-bed cells (the latter when cost constraints dictate). Further, given the makeup of Fresno County's inmate population, nearly all administrative segregation inmates should be housed in single and/or double bed cells, as opposed to the majority which are currently housed in dormitory style housing or are triple bunked in cells.

All medium security and the majority of administrative segregation population should be housed in 2-4 bed cells. All minimum-security inmates are typically housed in a dormitory environment. Title 24 Standards (470A.2.8.2) states that "Dormitories shall be designed for no more than 64 inmates and no fewer than 4 inmates." In the case of the North Jail, all housing units are triple bunked dorms with a total capacity of 72 each, under a BSCC waiver. However, it is unlikely that the BSCC would grant any further exceptions in the case of new construction.

Exhibit 3.16: Inmate Population Security Profile versus Available Bed Types



### Jail Bed by Type Forecasting Methodology

The Project Team projected BSCC-rated and non-rated special use beds using the following methodologies.

#### BSCC-Rated Beds by Security Classification:

The BSCC-rated bed forecast by security classification was developed by simply applying the current percentages of the inmate population by security classification to the total projected BSCC-rated beds. Given that the percentage of inmates currently classified as maximum and medium security is surmised to be artificially low because of the lack of appropriate cells to house them, this approach indeed under projects the actual *need* for single/double occupancy cells. However, as will be seen due to the enormous surplus of minimum-security beds and housing units, no additional dormitory beds would be developed, so in reality the unknown degree of undercounting the maximum and medium security populations is a moot issue.

#### Non-BSCC-Rated Beds:

*Disciplinary/Isolation/High Power/Lockdown Beds/Psychiatric Observation:* Currently, it is typical that all of the existing cells that were originally designed for non-rated disciplinary use are being used to house maximum security inmates due to lack of single cells for the general population. Developing dedicated disciplinary beds is urgently needed. These beds were projected at 5% of the total BSCC rated-bed capacity, which in the Project Team's experience is typical in well-planned jails. This assumption was validated when Jail staff was asked (independent of the assumption above) how many non-rated beds they currently needed, and the total was very close to the 5% figure.

*Medical Beds:* were projected by applying the current ratio of medical beds versus the total existing BSCC rated-bed capacity to the forecast of the latter.

#### *Psychiatric Beds:*

- Acute Intensive Psychiatric Beds: Public Health is of the opinion that a dedicated acute psychiatric housing unit is not required and that these types of patients would continue to be accommodated at County Health facilities. However, the Project Team believes that consideration for including an Acute Mental Health Unit should remain part of the long-range plan.

- Non-Acute Psychiatric Mental Health Step-down Beds/Housing Units: These units would house inmates who have been stabilized to the degree that they do not require intensive supervision, but would still not be capable of integrating into a general population unit because they require more intensive mental health programming, and a more de-stressing environment. At this juncture, the Project Team believes that a minimum of 5% of the population could be housed in this type of environment. Although there is no hard data to support this figure, the Project Team, Department of Public Health, and Jail Services Management believed this figure may be conservative. Regardless, the Project Team believes the County should consider establishing dedicated housing units for this subset of the Administrative Segregation Population.

#### **Jail Bed Forecasted Needs by Type**

The summarized results of applying the aforementioned forecasting methodologies are shown in Exhibit 3.17 (next page)

- By 2017: 1,797 rated beds and 202 non-rated beds would be required resulting in total forecasted bed deficit of 1,999 beds.
- By year 2037: 3,055 rated beds and 282 non-rated beds would be required resulting in total forecasted bed deficit of 3,337 beds

Exhibit 3.17: Needed Jail Beds by Security Classification and Use

Bed Classification	EXISTING 2013	PROJECTIONS AND NET NEED				
		2017	2022	2027	2032	2037
Rated Beds						
Existing Beds and Changes to Inventory	3,478	2,741	2,741	2,741	2,741	2,741
Forecasted Beds	3,478	4,539	4,872	5,190	5,488	5,796
Forecasted Bed Net Surplus Deficit	-	(1,797)	(2,131)	(2,449)	(2,747)	(3,055)
Non-Rated Beds						
Existing Beds and Changes to Inventory	37	88	88	88	88	88
Forecasted Beds	222	290	311	331	350	370
Forecasted Bed Net Surplus Deficit	(185)	(202)	(223)	(243)	(262)	(282)
Combined Beds						
Existing Beds and Changes to Inventory		2,829	2,829	2,829	2,829	2,829
Forecasted Beds		4,828	5,183	5,521	5,838	6,166
TOTAL BED SURPLUS/DEFICIT		(1,999)	(2,354)	(2,692)	(3,009)	(3,337)

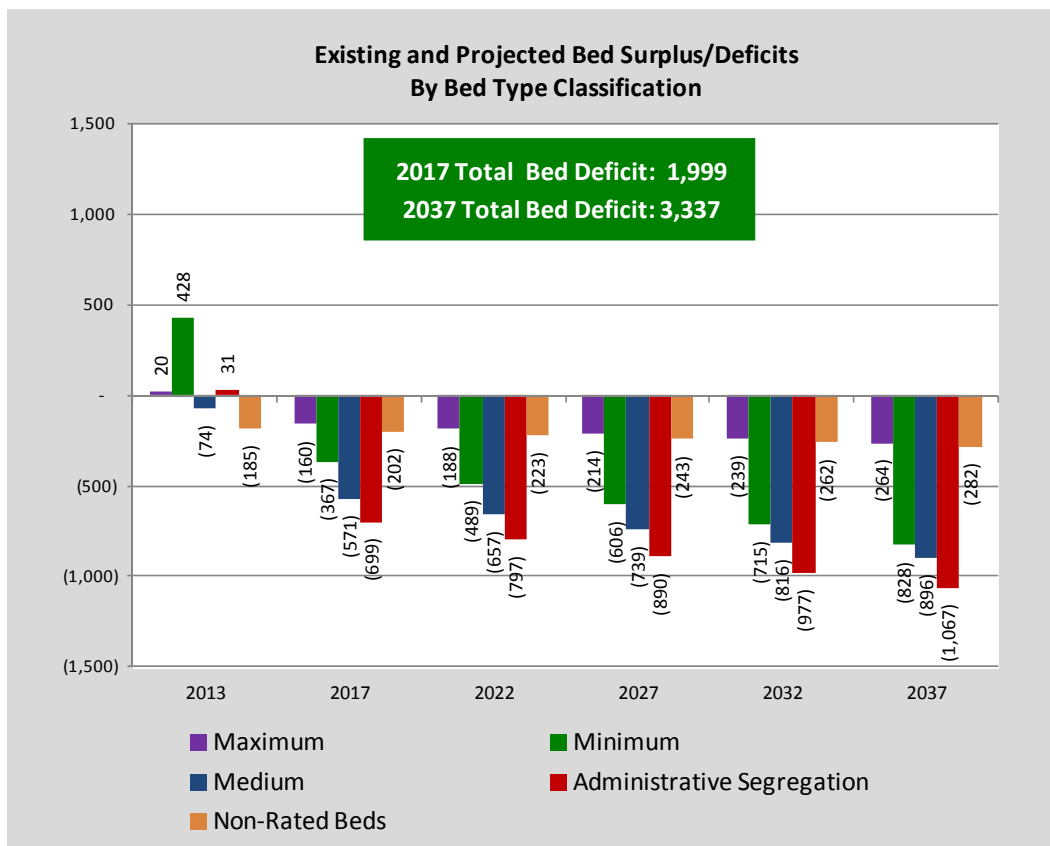


Exhibit 3.18 provides detailed calculations on how these needs were developed. All non-rated beds are shown in red font.

Exhibit 3.18: Needed Jail Beds by Security Classification and Use

Bed Classification	EXISTING		PROJECTIONS AND NET NEED				
	Distribution	2013	2017	2022	2027	2032	2037
<b>BSCC-RATED BED NEEDS - BY CLASSIFICATION</b>							
<u>Forecast by Classification</u>							
Minimum	37%	1,126	1,663	1,785	1,902	2,011	2,124
Medium	26%	793	1,171	1,257	1,339	1,416	1,496
Maximum	8%	254	375	403	429	454	479
Administrative Segregation	29%	900	1,329	1,427	1,520	1,607	1,697
Total		3,478	4,539	4,872	5,190	5,488	5,796
<u>Existing Beds by Use<sup>1</sup></u>							
Minimum	45%	1,554	1,296	1,296	1,296	1,296	1,296
Medium	21%	719	600	600	600	600	600
Maximum <sup>2</sup>	8%	274	215	215	215	215	215
Administrative Segregation	27%	931	630	630	630	630	630
Total		3,478	2,741	2,741	2,741	2,741	2,741
<u>Net Surplus/Deficit</u>		Currently Closed	(187)				
Minimum			428	(367)	(489)	(606)	(715)
Medium			(74)	(571)	(657)	(739)	(816)
Maximum			20	(160)	(188)	(214)	(239)
Administrative Segregation			31	(699)	(797)	(890)	(977)
Total			218	(1,797)	(2,131)	(2,449)	(2,747)
<b>NON-RATED BED NEEDS - BY TYPE</b>							
<u>Forecast</u>							
Isolation Cells		40	52	56	60	63	67
High Power/Protective		75	98	105	112	118	125
Discipline		40	52	56	60	63	67
Psychiatric Observation		30	39	42	45	47	50
Medical Unit Beds		37	48	52	55	58	62
<b>Subtotal Non-Rated Beds</b>		<b>222</b>	<b>290</b>	<b>311</b>	<b>331</b>	<b>350</b>	<b>370</b>
<u>Existing<sup>2</sup></u>							
Isolation Cells		-	12	12	12	12	12
High Power/Protective		-	12	12	12	12	12
Discipline		-	12	12	12	12	12
Psychiatric Observation		-	15	15	15	15	15
Medical Unit Beds		37	37	37	37	37	37
<b>Subtotal Non-Rated Beds</b>		<b>37</b>	<b>88</b>	<b>88</b>	<b>88</b>	<b>88</b>	<b>88</b>
<u>Net Surplus/Deficit</u>							
Isolation Cells		(40)	(40)	(44)	(48)	(51)	(55)
High Power/Protective		(75)	(86)	(93)	(100)	(106)	(113)
Discipline		(40)	(40)	(44)	(48)	(51)	(55)
Psychiatric Observation		(30)	(24)	(27)	(30)	(32)	(35)
Medical Unit Beds		-	(11)	(15)	(18)	(21)	(25)
<b>Subtotal Non-Rated Beds</b>		<b>(185)</b>	<b>(202)</b>	<b>(223)</b>	<b>(243)</b>	<b>(262)</b>	<b>(282)</b>
<b>TOTAL BED NET SURPLUS/DEFICIT</b>			<b>(1,999)</b>	<b>(2,354)</b>	<b>(2,692)</b>	<b>(3,009)</b>	<b>(3,337)</b>

<sup>1</sup> The decline in total existing rated beds in 2017 is due to the anticipated closure of the South Annex. Also 187 beds are currently not in use due to budgetary constraints.

<sup>2</sup> Currently 59 single bed cells are misused due to capacity constraints. They were designed as non-rated isolation/disciplinary cells but due to capacity constraints are currently being used full-time to house a mix of maximum security inmates, disciplinary/isolation/psychiatric observation, and disciplinary purposes.

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## **SECTION 4**

# **INMATE PROGRAMMING AND ALTERNATIVES TO INCARCERATION**



## SECTION OVERVIEW

The Sheriff's Jail Division and Probation Departments provide a variety of programming that focuses on reducing recidivism rates and the jail population. Although the County has strived to expand these programs within financial constraints, it must place even more emphasis on doing so, especially relative to creating new, and/or expanding existing programs that aid jail inmates in transitioning back into the community and/or provide alternatives to incarceration, in light of AB109. This section of the report documents and describes: a) the types programming provided to inmates housed in the jail; b) current and emerging Alternatives to Incarceration programs provided by County Probation; and, c) program participation data, to the degree that it exists.

## CURRENT INMATE PROGRAMMING

*(Addresses Item E, Program Needs, per T-24 Section 13-102 (c), Needs Assessment criteria)*

### Detention Facilities Programs

The following inmate programs are currently being provided to jail inmates:

- Religious Programming: Each week, 76 religious services and bible studies are offered throughout the detention facilities to all classification levels and genders in English and Spanish. All recognized religions are represented and programming is delivered by volunteers and clergy from within the Fresno County Community.
- Alcohol/Narcotics Anonymous Programming: These programs involve 12 steps, or programming modules that are focused on helping inmates break the cycle of alcohol and drug dependency. Nine meetings are offered each week in English and Spanish to minimum and medium security inmates. As of mid-year 2012, participation levels were at 15 males and 71 females.
- Celebrate Recovery: This program is a faith-based AA/NA curriculum, which focuses on seeking recovery from alcohol and drug dependency. Nine classes are offered each week in English to minimum and medium-security inmates.
- General Education Development (GED): This program focuses on providing educational programming, with the ultimate goal of preparing participating inmates to successfully pass the State Equivalency Exam of High School Education. Multiple classes are offered to minimum-security males and females. As of mid-year 2012, 19 males and 25 females were involved in the program. Through mid-year 2012, 39 inmates have taken the GED exam, and 11 inmates, have successfully passed the exam, which equates to a success rate of 28%.
- English as a Second Language (ESL): This course is offered to Spanish speaking offenders who wish to learn English. This program is provided to minimum-security male and female inmates. Participation levels were at nine males and no females as of mid-year 2012. These classes are provided through a contract with the Fresno County Office of Education, at an annual cost of \$85,000.
- Relationship Building: This program focuses on making positive choices in relationships. Topics include domestic violence, gender roles and stereotypes, communication, and anger management. This program is offered to minimum-security males and females, and as of mid-year 2012, participation levels were 28 males and 23 females.
- Parenting Education: This program covers various parenting topics including: nurturing, discipline basics, improving a child's feelings of self-worth, etc. This program is offered to minimum-security males and females. Mid-year 2012 participation levels were 24 males and 25 females.

- **Pre-Trial Release Program:** The purpose of this program, in accordance with evidence-based practices is to assist the court in making fair, prompt and effective release decisions, while monitoring and supervising released defendants to minimize the risk of non-appearance at court proceedings and the risk to the public safety. Additional objectives are to promote due process to those accused of crime, while maintaining the integrity of the judicial process by securing defendants for trial, protecting victims and witnesses, and providing the community with public safety services. This program began as of September 4, 2012. Currently, there are 51 defendants under supervision. To date this program, which is still in its infancy, has resulted in reduction of 3,026 jail days, or 8.3 jail beds on an annualized basis.
- **Work Furlough Program:** Currently there is no work furlough program due to budget constraints and lack of adequate facilities (with the closure of the Satellite Jail) to house the program. Up until its cessation in July of 2008, there were up to approximately 100 inmates on the program, where they would be released to work at their normal “day” job, but had to reside in the Jail otherwise.).
- **Trustee/Work Crew Programs:** Similar to the Work Furlough program, the Sheriff’s Inmate Labor Crew Program (SILC) was also terminated in July of 2008 due to same reasons cited for the termination of the Work Furlough Program. Under this program, the County’s Internal Services, Public Works and Planning Department, and various cities would arrange to take custody of a crew of inmates, work them during the day within their jurisdiction, and return them to the satellite jail in the afternoon. The Sheriff desires to reinstitute this program but the existing configuration of the Main Jail, North Annex, and South Annex facilities are not conducive to the frequent controlled movement of inmates in and out of the inmate-secure zones.

#### Analysis of Detention Programs Performance

Exhibit 4.1 provides a summary of inmate program participation levels for programs where records were maintained, as of mid-year 2012. As shown, the participation levels are very low for all programs, and when combined only a little over 10% of the entire jail population participated in them.

Program	Males	Females	Total
Alcohol/Narcotics Anonymous	19	71	90
General Education Development (GED)	19	25	44
Relationship Building	28	23	51
Parenting Education	24	25	49
<b>Total Participation Levels</b>	<b>90</b>	<b>144</b>	<b>234</b>
Total ADP June 2012			2,281
Participation Percentage of Total ADP			10.3%
<b>GED Exam Performance Levels</b>			
Number of persons taking exam	39		
Number of persons passing exam	11		
Success Rate	28%		

Part of the reason for these low rates is that inmates *do not receive any credit for any of these programs* if they were taken prior to their sentence. Because the inmates are aware of this, many have little motivation to participate. Given that 68% of the entire inmate population is pre-sentenced, jail management (and this Project Team) believes that participation rates would be much higher if the Courts would change their poli-

cy. The jail is receiving assistance from Transition from Jail to Community Initiative (TJC) and is partnering with Probation and the Courts to resolve this problem, however at this point, the issue remains.

Further, the Jail Division lacks the financial resources to increase staff and develop new/enlarged facilities to expand its rehabilitation programs, such as: comprehensive drug and alcohol treatment programs, anger management, group counseling, vocational training, and other programs. Dedicated acute psychiatric beds, mental health, and mental health step-down units are non-existent, due to building space constraints. As the jail population continues to increase, the challenge of providing the necessary rehabilitation services so vital to the inmate population will become more acute. This situation can only be remedied by the County deciding to provide more financial resources for qualified professional mental health and psychological staff (contract or county staff) and to develop additional special use physical space.

Currently, the County does not maintain a comprehensive tracking program that monitors the recidivism rates of those incarcerated inmates who participate in any of the aforementioned programs versus those that do not. Therefore, it is unknown to what degree these programs have mitigated recidivism rates and jail population levels.

#### **ALTERNATIVE TO INCARCERATION (ATI) PROGRAMS (Probation Operated Programs)**

##### **Existing ATI Programs**

The County has continued to maintain and expand existing Alternative Incarceration Programs, as well as to establish new programs where financially feasible. As will be evidenced, the programs below and offender participation rates have had a significant impact on reducing the jail's full-time inmate population.

Adult Offender Work Program: The Adult Offender Work Program places defendants who are sentenced to 90 days in jail or less on work assignments with participating community and governmental agencies in lieu of jail confinement. Probation officers are responsible for: a) the evaluation of offenders to determine their suitability for this program; b) supervising offenders with respect to compliance with program rules and regulations; and, c) forwarding commitment orders to the County Jail when offenders do not comply.

Work Furlough Electronic Monitoring: The Work Furlough/Electronic Monitoring Program is an alternative to serving time in the County Jail for those persons who are sentenced to more than 30 days in custody and have been referred to the program by the local courts. Probation staff determine the eligibility and suitability of those persons referred to Work Furlough/Electronic Monitoring Unit. They then establish the parameters and limitations to which the person must adhere to in order to be in compliance with the program, and refer acceptable persons to an outside agency for the actual installation and monitoring of the electronic monitoring equipment. However, there is a \$60.00 interview fee and upon acceptance there is a \$250.00 starting fee to be paid when placed on the monitor with Correctional Healthcare Companies (CHC). The remaining fees are determined on a sliding scale.

Deferred Entry of Judgment Adult Drug Court Program: This program places appropriate candidates, on a minimum 18 months supervision. The program includes drug testing, Drug Court reviews, and participation in approved treatment programs. Probation officers supervising this diversion program provide orientation to defendants, case management, and assistance to the Court in residential treatment placements and program ceremonies.

Post Conviction Drug Court (PCDC) Program: This endeavor is a grant-funded program designed to provide supervision and treatment for a maximum of 150 participants convicted of felony drug charges. The Court

places these offenders on formal felony probation to include standard conditions of probation in the PCDC program. Supervision, drug testing, treatment, and regular Court reviews encompass this 18-month drug court program. The deputy probation officer and probation technicians provide supervision, referrals, drug testing, and work closely with the treatment provider to ensure the Court receives accurate information on all participants. Since all of the participants are on formal felony probation, they are also subject to all other terms and conditions of probation. The deputy probation officer prepares pre-sentence investigation reports and recommendations to the Court as well as provides court officer duties each week. The deputy probation officer and probation technicians work in collaboration with various agencies. Formal graduations are conducted to publicly acknowledge the participants' achievements in completing the program.

Proposition 36 Program: In July of 2009 the state legislature eliminated funding for Prop 36 services. Despite the elimination of funding, Fresno County Probation still provides supervision and Targeted Case Management services to qualified defendants by continuing to collaborate with various agencies to ensure continued implementation. The purpose and intent of this program is to divert nonviolent drug offenders into community-based treatment programs. Statutes associated with Proposition 36 mandate probation and drug treatment for defendants convicted of a "nonviolent drug possession offense". It also established procedures for violations of probation and parole in cases involving nonviolent drug possession offenses.

Adult Day Reporting Center (ADRC) Programs: These programs are onsite cognitive restructuring modules designed as Evidence Based Practices and construed to: change an offender's adverse thinking patterns, provide education, and job training to enable long-term employment, and hold offenders accountable during the day. The goals of the Adult Day Reporting Center are to reduce offender re-arrests and recidivism, assist offenders in successful community reentry by providing needed services, and increase public safety by holding offenders accountable. These goals will be achieved by providing skill-based learning opportunities, educational and vocational training, and intensive community supervision.

Participants in the Adult Day Reporting Center: a) enhance their coping skills through group and peer counseling; b) locate and maintain stable housing; c) improve educational and vocational skills d) find and retain meaningful work; e) structure their activities within the community; and, f) receive intensive community supervision by their probation officers.

The ADRC is in the process of moving towards full implementation. At this point the department has identified the types of supervision, treatment, and training programs for prospective offenders who are identified through assessment for services. County Probation anticipates that up to 50 realignment offenders will eventually be enrolled in the ADRC. The current facility is co-located with the Adult Drug Suppression function in Fresno. Offenders participate in a four-phase program from one to seven days per week and are typically seen on aftercare approximately six months into the program.

#### **Alternative to Incarceration Programs Participation Levels**

Exhibit 4.2 aggregates the participation levels and/or numbers of offenders completing programs for the fiscal year ending June 30, 2011 and fiscal year ending June 30, 2012. Unfortunately the County could not readily produce data demonstrating the actual reduction of jail days produced by these programs. However, the Project Team believes it is substantial. To provide some perspective, if one applied the average length of stay per inmate in year 2012 (which was 20.85 days) to the level of ATI program inmate participants for that year, there would have been a total reduction of 120,304 jail days, which equates to reduction of 330 jail beds. Regardless, the County strives to continue and expand these programs, despite budget constraints.

The data also shows that the numbers of persons participating in these programs has declined slightly since 2011, and indeed, this has been the case relative to these programs for the previous five years.

*Exhibit 4.2: Alternative to Incarceration Participation/Program Completion Levels*

Program Description	FY-2010-11 Participants	FY-2011-12 Participants
<u>Adult Offender Work Program</u>		
Offenders Completing Program	3,087	2,217
<u>Work Furlough Electronic Monitoring</u>		
Offenders Completing Program	78	46
<u>Deferred Entry of Judgment Adult Drug Court Program</u>		
Placed on DEJ 345	345	439
DEJ Bench Warrant Cases 1059	1,059	1,049
Total on DEJ	1,404	1,488
<u>Post Conviction Drug Court (PCDC) Program</u>		
PCDC Felony Probationers	95	104
PCDC Probationers on Warrant Status	63	64
Total under Supervision	158	168
<u>Proposition 36</u>		
Total under Supervision	1,782	1,851
<u>Adult Day Reporting Center (ADRC) Programs</u>		
No Data Available	-	-
<b>Total Annual Offenders Participating and/or Completing Programs</b>	<b>6,509</b>	<b>5,770</b>

## PLANNED AND POTENTIAL FUTURE PROGRAMS

### AB109-Related Programs

The Sheriff's Office and the Probation Department have been authorized funding from the Community Corrections Partnership (CCP-AB109) to fund a Transition from Jail to Community (TJC) program. There will be one 72-bed pod in the North Annex that will be devoted to offering programming to sentenced offenders with a high-risk to reoffend. The initial target population will be split sentenced prisoners but it is anticipated as the program expands, it will include nearly all sentenced inmates and some pre-sentenced inmates. Funding from the CCP will pay for one correctional sergeant, one social worker, two deputy probation officers, and two correctional officers.

### Other Emerging Programs

A new program by Help Eliminate Auto Theft (HEAT) regarding electronic monitoring of auto thieves is in the planning phases, and has not been initiated just yet as policy is being solidified and details are being worked out with the DA's Office.

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**SECTION 5**  
**CONCEPTUAL FACILITY PLANNING ALTERNATIVES**

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## SECTION OVERVIEW

This Section will document: a) the recommended design approach and philosophy for future facilities; b) the jail-bed requirement changes since the development of the 2008 Plan; c) preliminary concepts that have been explored to mitigate near-term jail-bed issues; and, d) the overall macro-level impact of this Needs Assessment Update to the facilities master plan that was developed as part of the 2008 Plan.

## FUTURE FACILITIES DESIGN PHILOSOPHY

*(Addresses portion of Item B, Design Philosophy, per T-24 Section 13-102 (c), Needs Assessment criteria)*

### General Philosophy

In the development of any new detention facilities or renovations of existing ones, the facilities should be designed so that they:

1. Be conducive to supporting the delivery of new inmate programs that are yet-to-be determined, but will be implemented over time.
2. Be sized appropriately to accommodate growing inmate population in terms of housing units and facilities to accommodate all support functions.
3. Be capable of accommodating logical phased expansion as needs and ability to fund new development dictate;
4. Provide the ability to adequately supervise inmates to correct the current inmate supervision issues addressed above;
5. Provide for cost-effective daily detention operations, in terms of minimizing staffing levels, and the efficient movement of inmates, staff, supplies, materials and delivery services within the jail system;
6. Are cost-effective to operate from a facilities perspective (utility and building maintenance costs).
7. Incorporate sustainable practices wherever possible.

### Housing Unit Design Philosophy

The design of any new housing pods must facilitate the safety and well-being of inmates, staff, and professional visitors. The design should also be conducive to supporting positive behavioral modification in order to prepare inmates for release into the community, reduce violent incidents within the jail, and ease correctional staff supervision burdens. The overall design should be based on modern podular configuration concepts.

This general design of the housing floors and pods should provide for: 1) unimpaired lines of sight between the housing control and all housing pod areas; 2) operational flexibility in program delivery methods; 3) a consistent level of access to authorized programs and services among like-classified inmates; 4) minimized staffing needs through sound architectural solutions; 5) ease in segregating inmates based on gender, security classification, and special needs; and, 6) environmental incentives to induce good behavior through architectural design, interior finishes and fit-out.

The design should result in the most efficient staff to inmate ratios possible. Focusing on this concept is key to minimizing the overall cost of operating the facility. Designing a facility which is conducive to efficient staff to inmate ratios could be accomplished by, but is not limited to:

- Maximizing the quantity of beds within each housing pod and maximizing the number of housing pods per floor, without becoming so large as to compromise security and management of inmates.
- Providing as much programming within the housing pods as possible, in order to minimize staff escort.
- Providing as many common program areas as feasible on a housing floor in order to minimize the need to move inmates off of their housing floor.
- Ensuring the overall housing pod design facilitates the movement of inmates from their cells/sleeping areas to showers, dayrooms, and in the case of minimum-security housing, common lavatories and toilets with a minimum level of supervision.
- Providing direct lines of sight from centralized housing floor control areas, which would allow any pod to be supervised on an indirect basis (especially at night).
- Minimizing the distances staff must traverse to deliver programming and respond to incidences
- Assuring that each cell is electronically secured on an individual basis, in order to control the movement of inmates (especially within Administrative Segregation pods).

All housing pods should be designed as similarly as possible, yet provide the necessary components for supporting the specific types of programming that will occur within the pod. Maintaining design consistency among the different types of housing pods will facilitate the implementation of more standardized rules, regulations, operational procedures, training for staff, and overall physical plant constructability.

The housing pods should ideally be capable of providing for multiple and different activities to occur at the same time that require, or result in different noise levels such as self-study and reading, indoor board games, and watching television. Therefore, the arrangement of these areas and corresponding finish treatments should be carefully considered, and perhaps most importantly, the choices of interior finishes should be carefully integrated into the units depending on their security classification and type of intended programming.

The housing pods should be designed with durability and ease of maintenance. Access to plumbing will be through chases easily accessible to maintenance personnel. Each housing floor should have a sufficient number of janitor closets (with mop sink) which allows the inmates to access cleaning materials to maintain cells and common pod areas.

Lastly, the sizing and quantities of each spatial component must meet the State Corrections Standards Authority Title 24 Requirements.

## **RECAP OF 2008 PLAN**

The 2008 Jail Facilities Needs Assessment and Master Plan (2008 Plan), culminated in a three-phase long range capital plan that called for the development of 724,106 gross square feet of new jail inmate housing and support facilities in three phases, which would result in a total adult detention system-wide inventory of 1.17M gross square feet of building space. At that time, our Team estimated that the total capital project cost of fully implementing this plan would range between a total of 506.1M–646.3M in year 2008, non-escalated dollars. It was not within the scope of the 2008 Plan to identify how to finance development, because the study was only intended to provide an unqualified statement of facilities needs and what it would cost to solve those needs.



In all, 2,892 new beds would be developed, comprised of 2,704 rated jail-beds, 68 infirmary beds, and 120 psychiatric intensive supervision beds. These new bed figures include the County replacing: a) 300 beds currently located in the Satellite Jail (which would be vacated in its entirety); b) 686 beds currently situated in the South Annex (which would remain available for other County non-inmate housing uses); and, c) the existing infirmary beds in the Main Jail. At its culmination, this plan would result in an adult detention system-wide inventory of 5,684 total beds: 5,496 rated jail-beds and 188 non-rated jail beds (infirmary, psychiatric intensive supervision, disciplinary beds).

Since the completion of that plan, no new facilities have been developed. The concrete actions that the County has taken that were outlined in the 2008 Plan have been to: a) procure a portion of the land adjacent to the Westside of the Main Jail and North Annex; and, b) to close down the Satellite Jail, albeit, because of operational cost constraints, not because new jail beds were developed to replace that dilapidated facility.

## **JAIL-BED FACILITIES REQUIREMENTS CHANGES SINCE THE 2008 PLAN**

### **Required Number of Jail-Beds**

Since the completion of the 2008 Plan, the overall long-term 25-year projection of total required jail beds (BSCC-rated and non-rated) has increased from 5,684 beds to 6,166, or by 8.5% primarily for two reasons: 1) five years has now passed so the new 25-year forecast of county residents has increased to 1,333,466 for year 2037 versus the original plan year 2030 forecast of 1,297,476, or equating to a nearly 3% change; and, 2) the impacts of AB109 realignment, which mandates the County to now house designated inmates that had been housed within the State Prison System at the time of the 2008 Plan. This impact has been substantial. As detailed in Section 3, there were 789 sentenced AB109 inmates in the jail, which constituted 24% of the entire jail population, as of month-end January of 2013.

### **Types of Jail-Beds Required**

#### Introduction

As addressed in Section 3, the inmate profile of the Jail continues to change significantly and has become increasingly harder to manage, with more inmates being classified as either maximum-security, medium-security, and/or requiring administrative segregation. Inmates with substance abuse and other mental health issues also continue to rise. Further, with the implementation of AB109, many more inmates are staying in custody longer (There were 872 AB-109 inmates in the Jail as of January 31, 2013). This situation, combined with the overall increase in the violent nature of inmates, results in a continued growing and acute need for maximum-security housing, as well as the need to isolate the most violent and difficult to supervise inmates.

## **PRELIMINARY NEAR-TERM MITIGATION ALTERNATIVES EXPLORED**

### **Potential Reconfiguration of North Annex**

#### Overview

Given the conditions above, the County asked the Project Team to explore the feasibility and cost of renovating the existing North Annex Jail dormitory housing units and converting them for non-dormitory inmate housing use. Unfortunately none of these alternatives proved to be cost-effective, as the following analysis will prove.

### Scope of Analysis

The Project Team was specifically tasked with: 1) acquiring sufficient information to conduct the analysis. This step involved collecting architectural floor plans, touring the subject jail floors, and interviewing staff; 2) analyze from an architectural perspective the potential to reconfigure the subject floors under three alternatives: from triple bunked dorms to either: all single cells, all double cells, or four person cells; 3) estimate the conceptual cost of each alternative.

### Issues and Criteria Common to All Three Alternatives

#### *Building Code and Title 24 Issues*

- *Required Floor Space versus Occupancy Levels:* All existing dormitory housing units are prototypical in design and size, and were designed to meet Title 24 floor space requirements, based on a capacity of 64 beds. Title 24 stipulates that: “dormitories shall be designed for no more than 64 inmates and no fewer than four inmates. Each existing dorm is 4,798 square feet and total minimum square footage required by Title 24 standards is 4,480 SF. However, all existing dormitories currently operate under a BSCC waiver and are triple bunked, resulting in a total bed capacity of 72 beds, which results not only in each dorm operating over standard, but also in excess of Title 24 square footage per inmate criteria. *It is unlikely that if the existing dorms were substantially reconfigured or if new ones were built, that the BSCC would continue to grant this waiver.*
- *Natural Daylight:* Natural daylighting in the dorms does not meet current BSCC or Title 24 standards. A retrofit of exterior windows would be required and borrow lights would need to be relocated from the back of the plumbing chase to meet current standards.

#### *Required Renovation Elements Common to All Alternatives*

- Architectural: Overall dorm housing unit size, dimensions and configuration make it very difficult to configure into individual cells, resulting in significant spatial inefficiencies on a per-bed basis
- Mechanical System: The roof top unit (RTU) serving each dorm would need to be replaced and new ductwork from the floor’s main circulation corridor to the new spaces would need to be constructed. Integral smoke exhaust would need to be routed through the new RTU, because a dedicated smoke exhaust fan would not work in these spaces.
- Plumbing System: Existing shower and toilet spaces would be demolished. In Alternative 1 and 2, two new showers would be added at the end of the cell banks. Combination toilet/sink units would be installed in each cell. A rear chase would be utilized to serve the backs of the cells and shower area. Under the four-person cell alternative, a separate toilet, sink, and shower would be required in each four-person cell.
- Electrical: New lighting would be required in all cell spaces.
- Wall and Ceiling System: Two-inch steel wall panels and steel ceiling panels would be utilized.

### Alternatives Description

1. **All single-occupancy cell housing units:** Implementing this alternative would result in housing units with a total capacity of only 16 beds. This huge reduction in bed capacity would result, because the existing overall floor layout of each dorm and the location of the common housing control area serving them make it very difficult to provide for unobstructed lines of sight to all cell fronts.

Under this alternative, only eight, 6' x 12' cells could fit on main level and eight on the mezzanine level. A rear chase would be utilized as would a small shower room with two showers at the end of the cells. Each cell would consist of one bunk, table, and seat and combination toilet unit.

2. **All double-occupancy cell housing units:** Implementing this alternative would result in housing units with a total capacity of only 32 beds. Based on this alternative, eight 6' x 13' cells could fit on the main level and eight on the mezzanine level, while maintaining unobstructed lines of sight between housing control rooms and all cell fronts in each housing unit. In this scenario a rear chase would be utilized and small shower room with two showers at the end of the cells. Each cell would consist of two bunks, a table, two seats, and a combination toilet unit.
3. **All Four Person Dorm Cells:** Implementing this alternative would result in housing units with a total capacity of 64 beds. Under this alternative, eight, 6' x 23' rooms could be provided on the main level and eight on the mezzanine level, while maintaining unobstructed lines of sight between housing control rooms and all cell fronts in each housing unit. A plumbing rear chase would be utilized for all cells. Each cell would consist of four bunks, two tables, four seats, a toilet, a sink, and a shower.

#### Comparison of Alternatives

Exhibit 5.1: Housing Pod Reconfiguration Comparison

Criteria	Alternative		
	Single-Occupancy Cells	Double-Occupancy Cells	4-Person Occupancy Cells
<b>Bed Capacity - Per Housing Unit</b>			
Existing Bed Capacity	72	72	72
Resulting Plan Bed Capacity	16	32	64
Net Increase/Reduction in Beds	(56)	(40)	(8)
<b>Resulting Capacity - Entire North Annex</b>			
Number of Pods Per Floor	6	6	6
Number of Beds Per Floor	96	192	384
Number of Floors	4	4	4
Total Planned Facility Capacity	384	768	1,536
Existing Bed Capacity	1,728	1,728	1,728
Net Increase/Reduction in Beds	(1,344)	(960)	(192)
<b>Construction Cost Estimates<sup>1</sup></b>			
Demolition	\$ 50,350	\$ 50,350	\$ 50,350
New Construction	\$ 497,110	\$ 519,110	\$ 705,460
Contingency @ 25%	\$ 136,865	\$ 142,365	\$ 188,953
Total Per Pod	\$ 684,325	\$ 711,825	\$ 944,763
Total Per Floor	\$ 4,105,950	\$ 4,270,950	\$ 5,668,575
<b>Total Cost</b>	<b>\$ 16,423,800</b>	<b>\$ 17,083,800</b>	<b>\$ 22,674,300</b>
<b>Total Per Bed</b>	<b>\$ 42,770</b>	<b>\$ 22,245</b>	<b>\$ 14,762</b>

<sup>1</sup> Includes all hard and soft cost, except County Project Management Cost.

The results of the analysis conducted by the Project Team clearly demonstrate that it would not be cost-effective to reconfigure these housing units for several fundamental reasons: 1) it would result in a significant loss in bed capacity under any alternative, 2) construction would be relatively expensive on a cost-per-

bed basis (Alternatives 1 and 2); 3) there would be the temporary loss of an entire floor of housing, as each floor would undergo partial demolition of its interior and subsequent re-construction; 4) continued interference with day-in, day-out operations, that would be caused by construction crews and movement of materials; and, 5) that any substantial renovation would need to meet current code and Title 24 requirements.

#### **Suitability of Jail Campus for Work-Release, or similar Program(s)**

The existing facilities do not lend themselves to housing work-furlough, trustee work-release, or transitional type programs due to building floor layout configuration and capacity constraints. These programs involve a high volume of intake and release processing on a daily basis. The only secure inmate access/egress points for the entire jail system are located at Intake or the Main Jail lobby. The Intake area was not designed to accommodate releases. The Main Jail lobby is very small and operates far over its intended capacity. All inmate releases occur there and it serves as a waiting and processing area for professionals and the public wanting to conduct inmate visits. This area is continuously very busy. Because there is no feasible way to expand the lobby and because no other area can be cost-effectively reconfigured, any of the aforementioned programs should be housed in facilities designed specifically for that purpose.

#### **Re-Use of Satellite Jail Site**

Although it was not within the scope of this Needs Assessment Update to provide a detailed analysis of the Satellite Jail site, the County owns this parcel and desires to explore alternative use for detention purposes. As mentioned in Section 2, the existing Satellite Jail is no longer fit for use and should be demolished. Although this site could be reutilized, its limited size and overly rectangular configuration significantly constrains the type and size of facility that could work on the site. To gain maximum utilization of the site, it might make sense to develop a ground level with on-grade parking along with an intake/release processing and service delivery/staging areas, and construct a detention facility directly above it. Without developing a ground-level structured parking area with the occupiable areas of the facility on the floors above, total parking capacity would be limited and it could be difficult to efficiently manage the intake and release of inmates (work furlough program, or full-time inmates), as well as managing and staging deliveries (food, laundry, and general supplies).

*Exhibit 5.2: Satellite Jail Site*



At this early juncture, it appears the site would be more conducive to being developed as a specialized facility that would hold maximum-security, medium security, and/or administrative segregation classified inmates (perhaps a specialized facility for those with mental health issues), as opposed to a work-release/community transitional type of facility. Very cursory architectural concepts indicate that each level of the facility could house 96 beds, assuming double-occupancy cells and the necessary programming and support areas. Therefore, a multi-level facility would be required in order to: 1) provide any substantial mitigation of forecasted jail bed deficits; 2) to provide sufficient space for comprehensive programming (especially if the facility were to be used for a transition to community program); and 3) to establish a facility that is cost-effective to construct and operate on a per bed basis.

Regardless, the Project Team recommends the County pursue further analysis of this location, as a possible candidate for a new SB1022-funded facility.

#### **LONG-TERM EXISTING HOUSING UTILIZATION PLAN AND ADDITIONAL REQUIRED HOUSING UNITS**

As extensively addressed in Section 3, there is a significant mismatch between the types of inmate housing provided compared to the types of inmates being held. Over 97% of the inmate population are felons and the overwhelming number require to be administratively segregated, and/or housed in at least a medium-security, non-dormitory style housing. Further, there is almost an entire lack of non-rated single-bed cells for disciplinary, high-power inmates, isolation, and psychiatric observation. Unfortunately, triple bunked dormitory beds comprise 80% of the entire jail bed inventory. This situation will become more acute as the inmate population continues to increase.

Previous analysis has demonstrated that it is not cost-effective to reconfigure any of the existing dormitories into non-dormitory housing. As will be shown below, the housing need profile of the substantial number of additional inmates that have been forecasted, dictates that all future inmate housing units should be comprised of cells not dormitory-style beds.

As part of the 2008 Plan, the Project Team and jail staff devised a prototypical medium/maximum security unit that could also be used for administrative segregation purposes. The soundness of this prototypical unit concept still applies today. This unit would be comprised of nine, four-bed cells, and two, double-bunked cells (the latter could be utilized as single-bed cells, as needed), and would have a total BSCC-rated capacity of 40 inmates. Although it would be desirable to also develop a number of housing units comprised of only 1-2 bed cells, the proposed prototypical housing solution would result in a facility that would be easier to design and construct, and would be less expensive to develop and operate. However, for this prototypical concept to work, a sufficient amount of non-rated single-bed special purpose disciplinary/high-power/isolation cells must also be developed.

Exhibit 5.3 (next page) details a 25-year housing plan that shows how existing housing units (that will be retained indefinitely in their current configuration) would be used by inmate security classification, and provides the resulting number of prototypical housing units that would need to be developed. Green highlighted font indicates where a surplus of existing dormitory beds that are suitable only for minimum-security inmates have been utilized for non-minimum security inmates. As shown, forty-four, 40-bed prototypical housing units would need to be developed by year 2017 to properly house the forecasted inmate population and 75 units would be required over the 25-year projection horizon.

Exhibit 5.3: Existing Housing Unit Utilization Plan and Forecasted New Prototypical Housing Units

Bed Classification	ADP/BED TYPE		PROJECTIONS AND NET NEED				
	Percentage	Existing Qty.	2017	2022	2027	2032	2037
<b>TOTAL FORECASTED BSCC-RATED JAIL BEDS</b>		3,478	4,539	4,872	5,190	5,488	5,796
<b>Beds by Classification</b>							
Minimum	37%	1,274	1,663	1,785	1,902	2,011	2,124
Medium	26%	898	1,171	1,257	1,339	1,416	1,496
Maximum	8%	287	375	403	429	454	479
Administrative Segregation	29%	1,019	1,329	1,427	1,520	1,607	1,697
Subtotal - Rated Beds		3,478	4,539	4,872	5,190	5,488	5,796
<b>Available Bed Inventory</b> (declines by 686 beds in 2017 due to assumed closure of the South Annex)							
Triple Bunked - all dorm style units	80%	2,787	2,656	2,656	2,656	2,656	2,656
Double Bunked - all in 2-Bed Cells	18%	632	96	96	96	96	96
Single Bed Cells	2%	59	40	40	40	40	40
Total Existing Beds		3,478	2,792	2,792	2,792	2,792	2,792
<b>Total Bed Surplus/Deficit</b>			(1,747)	(2,080)	(2,398)	(2,696)	(3,004)
<b>EXISTING HOUSING RE-UTILIZATION PLAN</b>							
<u>Minimum Security - Triple Bunked</u>							
Forecasted Need			1,663	1,785	1,902	2,011	2,124
Available Minimum Beds			2,656	2,656	2,656	2,656	2,656
Triple Bunk Beds Surplus Deficit			993	871	754	645	532
<u>Administrative Segregation</u>							
Forecasted Need			1,329	1,427	1,520	1,607	1,697
Utilize All of Remaining Triple Bunk Surplus from Above			993	871	754	645	532
Utilize Entire Existing Double Bunks			96	96	96	96	96
Remaining Admin. Seg. Double Bunk Deficit			(240)	(460)	(670)	(866)	(1,069)
<u>Medium Security Beds (Double Bunk Cells/4-Person Cells)</u>							
Forecasted Need			1,171	1,257	1,339	1,416	1,496
Available Inventory of Suitable Beds			-	-	-	-	-
Remaining Medium Security Bed Deficit			(1,171)	(1,257)	(1,339)	(1,416)	(1,496)
<u>Maximum Security Beds (Single-Person Cells)</u>							
Forecasted Need			375	403	429	454	479
Available Inventory of Suitable Beds			40	40	40	40	40
Remaining Medium Security Bed Deficit			(335)	(363)	(389)	(414)	(439)
<u>Summary of Remaining Bed Surplus/Deficits By Physical Type</u>							
Dormitory Beds			-	-	-	-	-
2-4 Person Cell Beds (Medium Security/Admin Segregation)			(1,411)	(1,718)	(2,009)	(2,283)	(2,565)
1-2 Person Cell Beds (Maximum Security)			(335)	(363)	(389)	(414)	(439)
Total Bed Deficit			(1,747)	(2,080)	(2,398)	(2,696)	(3,004)
<b>REQUIRED NEW BSCC-RATED BED HOUSING UNITS</b>							
<u>Prototypical Medium/Maximum Security Bed Units</u>							
Forecasted Bed Additional Bed Need			1,747	2,080	2,398	2,696	3,004
<b>Programmed 40-Bed Housing Units</b>			44.0	52.0	60.0	67.0	75.0
Programmed Four-Bed Cells			396	468	540	603	675
Programmed Two-Bed Cells			88	104	120	134	150

Exhibit 5.4 provides an itemization and description of non-rated housing units that should also be developed.

*Exhibit 5.4: Non-Rated Bed and Housing Units Forecast*

	EXISTING NEED	PROJECTED ADDITIONAL NON-RATED BEDS					COMMENTS
		2017	2022	2027	2032	2037	
<b>Non-Rated Beds</b>							
Isolation Cells	40	52	56	60	63	67	
High Power/Protective	75	98	105	112	118	125	
Discipline	40	52	56	60	63	67	
Subtotal	155	202	217	231	245	258	
Psychiatric Observation	30	39	42	45	47	50	
Medical Unit Beds	37	48	52	55	58	62	
Subtotal - Rated Beds	67	87	94	100	106	112	
<b>TOTAL NON-RATED BED NEED</b>	<b>222</b>	<b>290</b>	<b>311</b>	<b>331</b>	<b>350</b>	<b>370</b>	

Bed Classification	EXISTING NEED	PROJECTED ADDITIONAL NON-RATED HOUSING UNIT PLAN					COMMENTS
		2017	2022	2027	2032	2037	
Isolation/High Power/Protective Custody/Discipline	8	10	11	12	12	13	20 Single-Bed Cells Per Unit
Psychiatric Observation Specialized 20 Bed Units	2	2	2	2	2	2	8 Single Cells and 6 Double-Bunked Cells Each
Medical Unit Beds	2	2	3	3	3	3	6 Single Bed Rooms and 6 4-Person Rooms Each
Programmed Total Non-Rated Housing Units	12	14	16	17	17	18	

## 2013 UPDATE LONG-TERM SPATIAL IMPACT TO 2008 MASTER PLAN

### 2008 Plan Synopsis

The 2008 Plan forecasted a need for 2,704 BSCC-rated, and 188 non-rated beds, or a total of 2,892 beds. In terms of support areas the plan called for the development of: 1) a new inmate processing center (intake, release, and inmate property storage; 2) a new Medical and Psychiatric Services component (including administrative offices, out-patient clinic, infirmary, and a mental health intensive supervision unit; an additional management and administrative area for the new jail facilities; a new staff support area (lockers, briefing, training) and a new video-visitation component). The vacated medical services component currently located on the second floor of the Main Jail would be renovated for dedicated inmate programs administration and an expanded existing jail facilities administrative area. A portion of the vacated South Annex would be used for a renovated and expanded laundry and expanded warehouse area. If fully implemented, the plan would result in adding 639,448 building gross square feet (BGSF) in three phases between 2008-2030, which equates to 121% increase in BGSF over the existing jail system building inventory.

### 2013 Update Net Spatial Impacts to 2008 Master Plan

#### Jail Bed Needs

Exhibit 5.5 provides a comparison of long-range jail-bed and macro-level spatial needs between the 2013 Update and 2008 Plans. As shown, 482 additional beds would be required over the 2008 Plan, as substantiated elsewhere in this document. The Project Team projected the space needs that would be generated by these additional beds on a macro-level basis, utilizing separate processes for the Jail's housing component versus all Jail support components.

Spatial requirements for the housing component were determined by taking the average building gross square footage per bed component in 2008 and applying that figure to the 2013 bed projections. However, that applied average GSF per bed was adjusted upward by eight GSF, because all new housing under the 2013 Update would be only non-dormitory style housing units, which require about five percent more space than dormitories (both were programmed in detail under the 2008 plan). For all housing support compo-

nents, the resulting 2008 Plan programmed average GSF per bed was multiplied against the 2013 Update forecasted bed totals, but the results were then adjusted downward by 50% to account for economies of scale. As shown, an additional 132,713 GSF of building space would have to be developed over the 2008 Plan to meet this Updated Needs Assessment requirements.

*Exhibit 5.6: Macro-Level Building Long-Range Space Needs Comparison; 2008 Plan (through year 2030) vs. 2013 Update (through Year 2037)*

	2008 Plan	2013 Update	Net Change	% Change
<b>New Bed Requirements</b>				
BSCC Rated Beds	2,704	3,004	300	11%
Non-Rated Beds	188	370	182	97%
Total Beds	2,892	3,374	482	17%
<b>Building Space Requirements</b>				
<u>Housing Component</u>				
GSF Per Bed	193	200	8	4%
Housing Component GSF	556,831	675,606	118,775	21%
<u>Jail Support Components</u>				
GSF Per Bed	58	54	(4)	-7%
Support Components GSF	167,275	181,212	13,937	8%
<u>Combined Jail Components</u>				
GSF Per Bed	250	254	4	1%
<b>Combined Components GSF</b>	<b>724,106</b>	<b>856,819</b>	<b>132,713</b>	<b>18%</b>



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**SECTION 6**

**OTHER REQUIRED TITLE 24 NEEDS ASSESSMENT CRITERIA**

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**Item I: Fresno County Sheriff's Office - Adequacy of Record Keeping**

Record keeping at the Fresno County Sheriff's Office is exceptional. Not only does Sheriff's staff maintain all records required by Title 15, but they also keep additional records to effectively manage the adult inmate population. The Fresno County Sheriff's Office also maintains detailed records relating to the release of inmates from the Fresno County Detention Facility per Federal Consent Decree F-93-5070. Required records maintained by the Sheriff's Office include:

- Detention Bureau Policies and Procedures Manual
- Medical Policies and Procedures Manual
- Fiscal records
- Booking/arrest records
- Admittance procedures
- Intake screening records
- Criminal history records
- Classification records
- Classification reviews
- Release procedures
- Incident reports
- Disciplinary records
- Grievances
- Population accounting
- Inmate movement and activity
- Counseling and casework services plan (Jail Psychological Services)
- Health care records (including mental health and dental)
- Psychotropic medication logs (Jail Psychological Services)
- Employee files containing health care staff credentials
- Corrections Standards Authority (CSA) inspections (including documentation of the resolution of noncompliance issues)
- Fire inspections
- Health inspections
- Environmental health inspections
- Building inspections
- Educational curricula (provided by the Fresno County Office of Education)
- Annual certification from the Superintendent of Schools (regarding educational program compliance)
- Food service plan and procedures manual

- Diet menus (including therapeutic diets when ordered)
- Food preparation temperature logs (to verify food is served at the correct temperatures)
- Emergency procedures
- Evacuation plans
- Construction documents (as available; including record drawings)
- Historic records and chronology of additions, renovations and modifications to detention facilities
- Safety check logs
- Population accounting to BSCC
- Employee files and records
- Staff assignments (current and historical)
- Employee records of hours worked
- Reporting of legal actions
- Annual security review
- Title 24 needs assessments (current and historical)

**Item J of Title 24 Needs Assessment Requirements: A history of systems compliance with standards**

Past and Existing Compliance: The Fresno Sheriff operates a Type II Detention Facility, which per Title 24 is a “local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment.” This facility consists of podular housing units that comply with minimum standards for local facilities and or Federal Consent Decree #F-93-5070. The Fresno County Detention Facilities have a Corrections Standards Authority (CSA) rated capacity of 2670 beds. The Fresno County Sheriff’s Office operates this facility under the authority of Federal Consent decree #F-93-5070 which sets the maximum capacity of the facilities currently at 3291 (Main Jail 1064, North Annex Jail 1728, South Annex Jail 499) The most recent CSA inspection was conducted on March 20<sup>th</sup> 2012. The letter from CSA documented a capacity that exceeds title 24 however the Fresno Detention Facilities continue to remain within the requirements of the federal consent decree.

**Remaining Compliance Issues:** The CSA inspection found the following areas of non-compliance as far as for title 24:

Title 15, Section 1027: Number of Personnel

Title 15, Section 1029: Policy and Procedure

Title 24, Section 470a.2.8: Dormitories

Title 24, Section 470a.2.9: Dayrooms

Title 24, Section 470a.3.2: Washbasins

Title 24, Section 470a.3.4: Showers

While all of the aforementioned areas are not within compliance of Title 15 and 24, they are within the current guidelines of Federal Consent Decree #F-93-5070.

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## **SECTION 7**

### **UNRESOLVED ISSUES**

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(Addresses Item K, Unresolved Issues, per T-24 Section 13-102 (c), Needs Assessment criteria)

The following itemizes the major outstanding issues that the County should work towards resolving as it strives to solve its near, and long-term detention facilities and inmate programming needs.

**Immediate Issue Requiring Resolution**

Given the potential to obtain up to \$80,000,000 in SB1022 funding, the County needs to make a fundamental decision regarding whether to pursue those funds, and if so to what degree. This decision will need to be made at an early date, and to do so, the County will need to:

- Define the specific project that would qualify for funding.
- Understand the full capital cost of developing those facilities, as well as the associated operational costs.
- Decide on whether to provide the go-ahead to actually submit a formal application for those funds.

**Issues with Potential Near-term Resolution Timeframes**

1. Pre-Sentenced Inmate credit for Educational and Counseling Programs Participation: Currently, the Courts do not allow pre-sentenced inmates to receive credit for participating in those programs. If this could be accomplished, the overall length of time served in jail per participating inmate would be reduced, and in turn the number of jail days incurred and required jail-beds. These inmates would also be better prepared to re-enter society.
2. Conduct further analysis on the reuse of the existing, but currently vacated Satellite jail site.

**Issues with Longer Resolution Timeframes**

1. The County should continue with its efforts to develop and expand its comprehensive Alternatives to Incarceration Program Plan, including:
  - a. Determining the types of programs to establish.
  - b. Determine reasonable offender potential participation rate goals, based on more detailed analysis of the inmate profile and needs.
  - c. Forecast impacts on full-time inmate housing needs versus alternative housing methods, based on program participation rates.
  - d. Develop operational cost estimates of operating the plans.
2. Ultimately, the County should strive to develop a budget forecasting metric for adult detention programs and Alternatives to Incarceration Programs, and then agree on the level they should fund to. Once this is accomplished the County can then develop specific near, mid, and long-term plans knowing they can be funded to those established levels, in terms of: a) ATI programs; b) enhanced inmate programs for the full-time jail population; c) capital facilities development; and, d) the day-in, day-out operational costs associated with these programs. The County has undergone a dynamic period of substantial jail-bed closures due to financial constraints, especially those that arose out of the 2008 recession. Many inmates were released from the jail during that timeframe. The County and local community needs to assess to what degree these releases have negatively impacted the community to date, and how much they are willing to invest in order to lower recidivism rates and overall crime in the future.